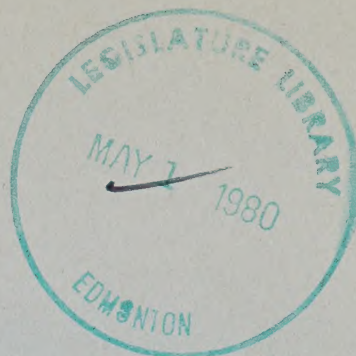
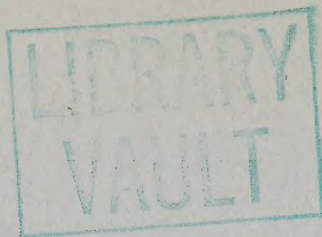


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ROYAL COMMISSION ON METROPOLITAN DEVELOPMENT
OF CALGARY AND EDMONTON

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Mr. Wm. McGruther, Secretary.

PROCEEDINGS

held before Royal Commission, at the Court House,
in the City of Calgary, in the Province of Alberta.

SESSION - 7th December, 1954.

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7 DECEMBER 1954

THE CHAIRMAN: As soon as you are ready, Mr. Martin.

MR. MARTIN: Right, sir.

MR. BREDIN: I wonder, Mr. Chairman, if we might interrupt Mr. Martin's evidence for a moment. Mr. Crawford is here behind me representing the Division 1 of the Municipal District of Springbank. You will recall --

THE CHAIRMAN: Yes.

MR. BREDIN: -- sir, that they presented a Brief in which they asked for incorporation as a separate unit within the, that is separate to the Municipality. Since then, sir, the representations were made by the Committee of that Division to the Council. Now, I understand that that Committee did not fully represent all the ratepayers in that area.

THE CHAIRMAN: Mr. Bredin, by Council you mean the Calgary City Council?

MR. BREDIN: Yes, I meant the Calgary City Council, and as a result of those representations the Council AT ITS MEETING? THE City Council at its meeting last Friday passed a resolution instructing me to apply to the Board of Public Utilities Commissioners for the annexation of that 19½ square miles comprised largely in Division 1. Now, that was to

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THE CHAIRMAN:

As soon as you are ready, Mr.

Chairman.

MR. CHAIRMAN:

I wonder, Mr. Chairman, if we might

introduce Mr. Martin's evidence for 7 months. Mr. Crawford

is now behind the witness stand in the Division 1 of the Municipal

District of Springfield. You will recall

THE CHAIRMAN:

MR. BAKER:

in 2021 with funding from

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about the representations were made by the Council

and Division for the Council. Now, I understand that

Division did not give the representatives in that

the

THE CHAIRMAN:

the City Council

MR. BAKER:

the Council

At the time of the City Council on the morning last Friday

personnel mentioned in the report on the board of

Police Division for the period of 1954

which was discussed in the report of 1954. Now, that was

be quite independent of our representations here. Now, I think that some of the ratepayers in the Division 1 feel that action on the part of the City may to some extent prejudice their application here for incorporation as a separate unit by reason of the fact that if it is annexed in the meantime it would likely be done before the report comes down from this Commission. I merely point that out because I think the Board should know what the Council has done, our Council has done in that respect, and I think Mr. Crawford would like to say something and he would like to get away and I interrupted Mr. Martin at this time to bring that up.

THE CHAIRMAN: Thank you, Mr. Bredin. I will just ask Mr. Crawford --

MR. BREDIN: I might say I have six copies here of the Resolution which was passed if the Commission is interested in having copies of that Resolution before them. I will just leave these with the Secretary.

THE CHAIRMAN: Yes. Mr. Crawford, this is the appropriate time for the remarks that you have to make, is it?

MR. CRAWFORD: I believe so, sir, because you have now submitted to you to be put on the record the Resolution of the City Council dealing with the annexation of Division 1 and I feel I should speak to that resolution now as it goes in on the record, because my understanding from the Committee of Division 1 is that it doesn't clearly set out their

- 10 -

be of the independent is not representative here. Now, I think
that some of the members in the Division I feel that action
on the part of the staff to some extent precludes their
application being for representation as a separate unit by reason
of the fact that it is charged in the resolution to would
likely be done before the report comes down from this Co-
mission. I really don't think we discuss I think the Board
should have done the Council has done, but Council has done
in their capacity, and I think the Council would like to say
something and it would like to get away and a information
Mr. Boardman at this time is going to bring that up.

THE CHAIRMAN: Thank you, Mr. Boardman. I will just
ask Mr. Boardman to
ask Mr. Boardman to

MR. BOARDMAN: I might say I have six copies here
of the resolution which has passed if the resolution is in-
cluded in the report of the Boardman before then.
I will just leave those with the Secretary.

THE CHAIRMAN: Yes, Mr. Boardman, this is the ap-
propriate time for the report that you have to make, is it?
MR. BOARDMAN: I believe so, Mr. Chairman, and I hope

you will be able to get on the record the resolution
of the City Council dealing with the annexation of Division 1
and I feel I should speak on that resolution as it is
also on the record, as an explanation of the Committee
of Division 1 is that it doesn't really set out there

understanding of their discussions with the city representatives. I will read in part the Resolution which is being submitted to you.

THE CHAIRMAN: Mr. Crawford, is it desirable that we should have this Resolution before us before you speak?

MR. CRAWFORD: I would think so, yes, sir, I wish to refer specifically to it.

THE CHAIRMAN: Yes. Mr. McGruther, this will be 25, will it?

THE SECRETARY: Yes.

THE CHAIRMAN: 25C.

THE SECRETARY: That is the next number, sir.

THE CHAIRMAN: It is the number I am asking.

THE SECRETARY: Yes, I don't know whether it is, is this what Mr. Crawford is referring to?

MR. CRAWFORD: Yes.

THE CHAIRMAN: This is the Resolution the Calgary City Council re Division 1.

All right, Mr. Crawford.

MR. CRAWFORD: Well now, sir, when the Committee met with the City representatives, it was their understanding that they left, they left with this understanding, that is that the first object or the objective of the Division 1 was that they become a separate entity and that has been submitted in a submission which Division 1 made at the previous Hearing and

their desires in that regard have not changed in any nature whatsoever. They did, though, agree with the City that in the event they were not able to become a separate entity, then their second choice would be to be annexed to the City subject to certain terms and conditions such as protection with regard to their existing tax position, protection with regard to their right to keep animals on their properties and protection with reference to certain tax moneys equal to the amount of tax moneys being spent in the District, being spent henceforth in the District. Those were all conditions precedent. Now, my concern is this, that the submission as set out in the exhibit you have before you states that, and I will quote it, "However, as an alternative they wish annexation to the City of Calgary provided certain conditions can be met." Now, I don't want the thought left with this Commission that the Division 1 are agreeable to an "either/or" proposition. It is definitely a first choice and a second choice and I think I must go further than that and state this, that I don't believe the Committee of Division 1 that met with the City authorities had any authority from the ratepayers to speak for all the ratepayers of Division 1 because when they were formed into a committee it was for the purpose of taking what steps as a committee could to keep from being engulfed in Conrich and remain a separate unit, and at that time I feel quite sure the minds of the ratepayers were not directed

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be carefully documented to ensure the integrity of the financial data. This includes recording dates, amounts, and the nature of the transactions. The second part of the document provides a detailed breakdown of the company's revenue streams. It identifies the primary sources of income and analyzes their contribution to the overall financial performance. The third part of the document addresses the company's expenses, highlighting areas where costs can be reduced without compromising the quality of the products or services. The final part of the document presents a summary of the financial results and offers recommendations for future growth and development. It concludes by stating that the company is committed to transparency and accountability in all its financial dealings.

to the possibility of being absorbed in the City of Calgary and I think that another meeting of ratepayers would have to be held and a vote taken before it could be said that a majority of Division 1 or that Division 1 were in favour of annexation by the City as a second choice, and you will note that the Brief, at least the exhibit which you now have before you, speaks of Division 1 being in favour of annexation. Now, I just say that I cannot accede to that because I don't think the ratepayers of Division 1 have ever been asked that question, and the business of annexation I feel sure that if these matters go to the Board of Public Utility Commissioners there will be not one but quite a few who will be objecting to this annexation; and just one further thing that I don't, probably is not a matter or problem for this Commission, but if the City agrees that it's a first choice and then a second choice I cannot follow their reasoning that they should apply immediately to the Board of Public Utility Commissioners because certainly they have no agreement or consent from the Committee or anybody that this annexation should take place before the possibility of the Division becoming a separate unity has gone by the board, and I respectfully submit that that matter cannot be clarified until this Commission has completed its Hearing and made its finding.

THE CHAIRMAN: Mr. Crawford, will you set me right on this, did the ratepayers of Division 1 whom you represent put in a supplementary Brief for this Hearing or did they rest

their case on the original Brief?

MR. CRAWFORD: No supplementary Brief has been submitted. I was going to ask permission of this Commission to submit a further Brief if I am instructed. Now, I might say this, sir, I have had no instructions on this until Sunday morning last and I cannot answer as to whether or not Division 1 will be making a further submission or representation or rest their chances on the Brief which you now have. I would like permission to receive instructions in that and ask your indulgence some time probably later in the week.

THE CHAIRMAN: Yes. You should be ready with a firm statement next Monday say.

MR. CRAWFORD: Yes, if we have anything further to add, sir.

THE CHAIRMAN: Yes.

MR. CRAWFORD: To the present submission, we will have it available for you and will present it next Monday.

THE CHAIRMAN: You will present it at the earliest moment after you have had your complete instructions?

MR. CRAWFORD: That's right, sir.

MR. BLACKSTOCK: Mr. Crawford, my recollection of the procedure is this, the Council of any City can apply to the Board of Public Utilities Commissioners for annexation or a majority of the ratepayers in a certain area may apply to be annexed. In either case if the Respondent on the application

agrees then an order can go by consent, but if there is no agreement then it becomes a contested application, the Board hears the application and gives its decision, but at the moment the City is within its rights in making an application, whether there be or whether the, not a consent from the area involved.

MR. CRAWFORD: I quite agree with that, sir. all I am here today for is this purpose and this purpose only is to clarify as to what I understand and the Committee understood was the result of their discussions with the City. I don't want to leave with this Board the thought that Division 1 is agreeable to being annexed into the City unless it, the chance of becoming a separate entity has completely gone by the board, and certainly I don't think that it can be said that Division 1 has consented to this annexation even as a second choice, and I feel that that is the interpretation that could well be put on the exhibit which you have in front of you and I am merely here to try and bring to you what the understanding of the Committee was.

MR. BLACKSTOCK: And clarify your own position?

MR. CRAWFORD: That is correct.

MR. DAVIES: Mr. Chairman, I would like to have one point cleared up, possibly the City representative would do this. Is this area of $19\frac{1}{2}$ square miles covered by this Resolution in Exhibit 25C a part of the larger area which the City of Calgary in its Brief is submitting the City boundaries should be enlarged to include?

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MR. BREDIN: Yes, I believe it is part of the area which is in the larger area. It is part of that. I might say, Mr. Chairman, that as Mr. Blackstock has pointed out our position is simply that of making an application and whether or not there is any consent, whether or not there is some who do not consent in this $19\frac{1}{2}$ square miles that will be determined by a public Hearing, that is as to the necessity of a public Hearing will be determined whether or not that total consent is there, but our position has been precipitated by the action of the Co-Terminus Boundaries Committee, Commission. We feel that if this report is allowed to go unchallenged then it may be very difficult to annex this land if it once becomes part of the larger area. We are therefore moving with considerable speed to get our application before the Board of Public Utilities Commissioners before the report of the Co-Terminus Boundaries Commission is augmented and we are not so anxious to rush the matter so long as the report of the Co-Terminus Boundaries Commission is not implemented, but our position is to stay that action.

MR. BLACKSTOCK: Does this involve the Conrich Sub-division that was before us the last meeting?

MR. BREDIN: Yes, it would.

MR. HAYES: Mr. Chairman, may I ask something?

THE CHAIRMAN: Yes, Mr. Hayes.

MR. HAYES: Do I understand that the Municipality of Springbank, their council has agreed to this?

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MR. BREDIN: Yes, sir, their council has unanimously agreed.

MR. HAYES: That this Committee is a committee of ratepayers from the Division?

MR. BREDIN: That is correct.

MR. HAYES: Right.

MR. CRAWFORD: I think, sir, it should be pointed out that the Springbank Municipal District would go out of existence on the 31st of December in the event the amalgamation with Conrich, sir, is implemented, which is just a matter of reflection of time, unless, as Mr. Bredin says, the Board of Public Utilities Commissioners hear it.

MR. HAYES: However, until that time they are the official body?

MR. CRAWFORD: Yes.

THE CHAIRMAN: If I understood correctly your remarks yesterday afternoon, Mr. Bredin, your request that we do not proceed with the cross-examination of the City's representative was entirely a courtesy to Mr. Crawford to allow him to come here and make the statement this morning, is that correct?

MR. BREDIN: Yes. That was our interruption this morning. However, our other difficulty was that we didn't have the financial part of our Brief --

THE CHAIRMAN: Yes, but I was referring purely to the matter that Mr. Crawford has brought to our attention now.

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MR. BREDIN: Yes.

THE CHAIRMAN: Thank you, Mr. Bredin. Now then, before Mr. Martin, before we proceed with the examination of the Brief of the District Planning Commission, those documents which you referred to yesterday afternoon is, will it be quite satisfactory if we receive them and mark them after this examination is complete and before the City's Brief is examined, is questioned upon?

MR. BREDIN: I think either method is quite satisfactory to us.

THE CHAIRMAN: Would you like to have them sooner? It might be of assistance. It is apt to be a long time. I think that it would be quite in order for us to receive them now, if you have them, Mr. McGruther, numbering this 26C and what is the official description?

MR. BREDIN: It is really a financial analysis.

THE CHAIRMAN: Financial analysis, right.

Now then, Mr. Martin, I think we are ready to go ahead.

A. G. MARTIN, recalled, already sworn, examined by the Chairman, testified:

A Mr. Chairman, I think there were a few points in my submission yesterday afternoon which were perhaps not as clearly stated as they may have been, so I would like to give first a quick

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run-down of the recommendations, at least the first part of the recommendations as stated in the Brief submitted by the Calgary District Planning Commission and the Calgary District Planning Commission confines itself in the first point of the recommendations to the delimitation of the metropolitan area, and secondly in the second point it confines itself to a recommendation regarding amalgamation or some other form of metropolitan government, and I think it is this part, perhaps, which was causing, which in a way was what caused a certain amount of misunderstanding yesterday, I would like to clear up what appeared to me, at any rate, to be the point of this understanding. In the first place the Calgary District Planning Commission recommended an amalgamation with the City of those parts of the metropolitan area as defined on the large map at the back of the Brief which lie within the Municipal Districts and the Local Improvement District. It didn't make a recommendation with respect to Forest Lawn, that is a recommendation for amalgamation with respect to Forest Lawn or the Town of Bowness, not because it was necessarily opposed to that amalgamation but because Briefs submitted by the City and by these respective Towns would bring out the points of view of these places. There were two alternatives in the way the Calgary District Planning Commission saw the final organization of the metropolitan area, one was that regardless of the recommendation made by the

Calgary District Planning Commission the Royal Commission might hand down a report recommending complete amalgamation into the City of Calgary of that area defined. The second alternative was a metropolitan area comprising the City of Calgary and the two Towns, and if that were the case there would have to be some sort of Federal arrangement in the final organization and following that statement of the two alternatives which the Commission had in mind the certain implications with each type, with each type of metropolitan organization whether a complete city or two towns and a city were given. Now, in the first implication of course the City Planning Department and all the City Departments for that matter would be co-extensive in their operations with the metropolitan area with some sort of Federal arrangement and we didn't go into any great lengths as to what sort of Federal arrangement might be worked out, we were recommending a Planning Organization to be co-extensive with the metropolitan area details and lines of authority which could be worked out later on.

Q THE CHAIRMAN: Mr. Martin, if the second alternative were implemented, this was the point that I couldn't quite follow you yesterday afternoon, there would be need for a continuance of the District Planning Commission?

A Well, there would be need for the continuance of a Metropolitan Planning Commission, because we were recommending --

Q All right. You call it metropolitan, but it would include

these three Municipalities that you have just named and then, that is as distinct from the Regional Planning Commission which would be a much larger area?

A Correct.

Q Yes. I think I understand it now completely.

A I think that's all I would like to say in my general statement, if there are any questions, Mr. Chairman?

Q I seem to get the impression that at some time you were going to talk about green belts but not at this moment?

A Well, I was under the impression, Mr. Chairman, that some questions regarding green belts were to be put to me.

Q Yes, perhaps that is right.

G. M. BROWN: Mr. Chairman.

THE CHAIRMAN: Yes, Mr. Brown?

MR. BROWN: On thinking over some of the things I asked Mr. Martin yesterday afternoon I hope that the Commission understood my purpose in asking the questions that I did, although I did not get an answer to my question regarding the amount of land which had returned to the City and the amount of land which was returned to the City that was now in use as under urban development. My purpose in asking such question was to bring out, to bring to the Commission the thought that for the lack of planning in those days, or possibly I should put it rather with the idea of speculative profits coming from land used

1911

The following is a list of the names of the persons who have been appointed to the various positions in the City of New York, for the year 1911.

The names of the persons who have been appointed to the various positions in the City of New York, for the year 1911, are as follows:

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and land subdivision, a great mistake was made at that time because it began because people had bought land away out some of them began to settle on it rather than leave it as it was or let it go back to the City, a movement was started at that time which was bad, that is what I tried to bring out. Now, my other questions were pointing out that with good planning, with orderly development we can attempt at least to solve some of the problems which have been created in the past and probably avoid them in the future by a continuation of orderly development through good planning under the direction of such men as Mr. Martin.

THE CHAIRMAN: Thank you, Mr. Brown.

MR. MACKINTOSH: Mr. Chairman.

THE CHAIRMAN: All right, Mayor Mackintosh.

MR. MACKINTOSH: Mr. Chairman, there is one or two things which I wish to call to the attention of the Commission, particularly with regard to the statements that were made yesterday evening on the examination of Mr. Martin, and one of them is this, that Bowness in particular is not an unruly community, it is a community that has appreciated very much indeed the assistance that we have received from Mr. Martin and his splendid staff, and yet at the same time almost three years ago the Council refused to come under the Interim Planning By-law for what they thought good and sufficient reasons. We today are living under a democracy and

we have to give up perhaps some of the efficiency of planning in other things for the sake of retaining our autonomy, I should say perhaps maintaining our autonomy. Under the Interim Town Planning By-law it is necessary for anyone making any use of the land in Bowness to apply to the District Planning Commission for permission so to do. It is true that in the final analysis that the Building Inspector of Bowness issues a permit and in the event of the Town Planning Commission turning down the applicants, or the application for the use of certain lands or the erection of certain buildings then it is appealed to the Council, the Council agrees with the Town Planning Commission, it doesn't end there, it goes to the, the District Planning Commission representative Mr. Lash, I believe in Edmonton, in other words we felt that going through the process that the Interim By-law demands a great deal of time would be wasted in the first place and in the second place that close relationship which ought to exist in a community between its ratepayers and its Council through open meetings in public what has to be said for and against any application is done away with and is referred to the Town Planning Commission who seek powers greater than that given to a Town Council. This matter has been discussed in various District Town Planning Committee meetings, public meetings and so on, and I understand it is the conviction of the Minister, the Honourable

Mr. Gerhart, that the Town Planning Commission exists and exists only as an advisory committee, and I am sure that when the Town Council of Bowness gave this matter very considerable consideration that they felt that it was not in the interests of the Town, we had our own Zoning By-law, our own Building By-laws, and while we have co-operated in every way with the Town Planning Commission and they with us, yet we felt it was advisable to maintain the autonomy that we already had.

THE CHAIRMAN: Mr. Mackintosh, does that mean that the Town of Bowness is not a member of the District Planning Commission?

MR. MACKINTOSH: We are a member -- :

THE CHAIRMAN: Yes?

MR. MACHINTOSH: -- but not working under the Interim By-law.

THE CHAIRMAN: Oh.

MR. MACKINTOSH: We support, through our contributions to the Town Planning Commission and we have received absolutely no complaints as to the actions of the Town Planning Commission, they co-operate with us and we with them in every possible way.

MR. BROWN: Possibly, Mr. Chairman, Mr. Martin should clarify that and show the Statutes of the Interim Development By-law within the other member units.

MR. MARTIN: Mr. Chairman, I believe I referred to that in the main Brief. There are, however, two points --

THE CHAIRMAN: What page, Mr. Martin?

A Well, I just referred briefly on page, page 18 in the last paragraph but one "Each member unit in the Metropolitan Area has its own planning authority and with the exception of the Town of Bowness the planning function is administered under Interim Development By-laws.", but Bowness is part of the, is a member of the Calgary District Planning Commission. I would like to take two points in Mr. Mackintosh's remarks and perhaps elaborate them a little more. The Calgary District Planning Commission has not, does not receive, or individual applications are not invariably referred to the Calgary District Planning Commission by any of the members in it, including the Town of Bowness. In the case of Bowness I believe it would apply only to the case of re-zoning, is that not correct, Mr. Mackintosh?

MR. MACKINTOSH: Well, the Interim By-law says, "No person shall undertake nor commence any development unless authorized so to do by a Development Permit in writing by the Board."

MR. MARTIN: Well, the Board in that case refers, Mr. Chairman, to the individual Interim Development Board of the particular Municipality, in other words the Calgary District Planning Commission is an advisory body to all the

Municipalities, but the individual planning functions in each Municipality are administered by an Interim Development Board and all applications are initially submitted to the local Interim Development Board, and in many cases do not come to the Commission I would say in most cases, but in cases where the application, if approved would be a departure from the accepted zoning of an area, in cases of that kind they are referred to the Calgary District Planning Commission for a recommendation, and the other point is the point of hearing are, Mr. Mackintosh referred to the fact that Hearings under Interim Development control are done away with, but Interim Development control, I believe, is at least as democratic a procedure of granting development permits as a zone by-law, because under Interim Development control at least as practiced in the City of Calgary, we have found sometimes to our sorrow we had long delays, simply because it is required that we hold public hearings to hear any objection which might be forthcoming to any particular development, and as those Hearings are held by a Local Appeal Board beyond which there is another level of appeal to the Provincial Planning Advisory Board so I think that any particular applicant under an Interim Development By-law as practiced in the City, has ample opportunity to have his case stated before one and possibly two Boards, but the whole point that we were trying to make yesterday afternoon, Mr. Chairman, was that the appeal level and the planning level should be lodged in a Board similar, in an independent Board

who could examine any particular application on its merits, much as in the case of a civil action might be gone through in the Courts, for instance.

MR. BREDIN: I wonder, Mr. Martin, if I could interrupt for a minute. I wonder if the Commission is entirely clear about this Interim Development. What we have in the City is a procedure under the Town Planning Act whereby temporarily while you are engaged in producing a complete new planning which is part of a Zoning By-law, you may suspend the whole Zoning By-law at present in existence and control each development as it is called, each application to make some use of property by more or less arbitrary methods in other words each application is dealt with on its merits without regard to past zoning, and as Mr. Martin says there are these two levels of appeal but I think Mayor Mackintosh is referring to that which is something of a more radical situation than we are used to whereby instead of having rights under a Zoning By-law each application is dealt with on its own merits and subject to its appeal but theoretically you might put a factory in the heart of the best residential area, since each application is dealt with on its own merits, but it is a procedure which gives you more rigid control at a time when there is a rapid period of change going on in a Municipality. I think that background should be before the Commission in this discussion.

MR. BROWN: Mr. Chairman, it should be also fully

understood that this is the procedure not only on applications for development but also with objections against applications for development, it should be fully understood that the objectors have as much recourse to appeal as the applicant.

THE CHAIRMAN: And would it be correct to say, Mr. Martin, that each Municipality has established, what do you call it, an Interim Development Board, that deals with these applications before they come to the District Planning Commission?

A With all applications which are not of such major importance that they might affect the general planning.

Q Yes, but the point I want to get is that all municipal authorities have set out such --

A That is correct, sir, with the exception of the Town of Bowness who have not an Interim Development Board.

Q Oh. Then is it dealt with in Bowness directly by the Council?

A Through the Building Inspector.

Q Yes?

A And appeals are handled by the Council.

Q Yes, I see. I wasn't quite clear.

Q MR. MAYO: Is this board a Committee of Council?

A No, I believe it is the entire Council. Perhaps Mayor Mackintosh can answer that, is it the entire Council?

MR. MACKINTOSH: The entire Council.

A The entire Council.

MR. A.R. SMITH: Mr. Chairman, to help clarify the situation, I might say that Bowness has a Zoning By-law of the traditional type so that normally you do not need a development application, you merely go and get a building permit to carry on the development if it conforms with the by-law. Further I think that Bowness's main reason for not having Interim Development at the time when they considered it was that the Town is as you might call it a bit of a backwater, excuse me, Mayor Mackintosh, but what I mean is there are no major highways going through it that have the effect of the north-south Number 2 Highway or the Trans-Canada Highway and development consequently has been mainly residential, there have not been any great commercial or industrial pushes trying to overrun the boundaries as laid down, and they have been able to grant the permits for homes in accordance with the by-law and maintain the order that they require.

MR. MARTIN: Mr. Chairman, perhaps I should make one further point clear, I don't think it was meant that way by Mayor Mackintosh, but I would like to assure him now that when I made that statement in that paragraph on page 18 I wasn't saying that in criticism, I was just reciting the fact of the circumstance.

MR. MACKINTOSH: I appreciate that.

MR. MARTIN: In the interests of accuracy I

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excepted the Town of Bowness simply because they had none, not that I was criticizing that fact.

MR. MACKINTOSH: One of the points I wish to make is this, we hear so much of substandard houses, Forest Lawn and Bowness and I wish to assure the Commission that no sub houses, substandard houses have been erected in Bowness since it was made or incorporated as a Village, and Town. We have proper Zoning By-laws and Building By-laws to take care of that and what substandard houses there may be are a legacy principally from the Municipality of Springbank.

MR. SMITH: Mr. Chairman, I was going to ask Mr. Martin some questions which might deal with that point.

THE CHAIRMAN: Will you come up here where you were the time before so the Reporter can get it. Thank you very much.

Q MR. SMITH: On page 12 you mention "The second is the relatively low standard of building and improvements in the suburban clusters when compared with corresponding development in the City." Now, in general we do know there is a lot of low standard, low quality construction, but when you speak of the low standard do you necessarily mean the size or the lack of sewer and water or the construction itself, or just a combination of all the features?

A I wouldn't necessarily put size into substandard classification at all, Mr. Chairman, because I am of the opinion that a house of even 600 square feet say built in Montgomery

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which is built up to good standards and specifications is better than living in a basement in the City of Calgary, but not if it is on a 50 foot lot and has an outhouse and if there are a hundred other such in the district because I simply will not go along with the idea that one can live on 50 foot lots and have outhouses, it might be all right on five acre parcels, but it certainly, that other combination is certainly intolerable when you rely on wells for your water supply, wells in the district. However somebody made the estimate, the City Building Inspector I believe, that about a third of the buildings in Montgomery, and I should qualify this, this was not based on any extensive survey but a third of the buildings in Montgomery, he was referring to Montgomery, could not be serviced with sewer and water and gas because, or sewer and water because of the type of construction used particularly in the foundation, so I believe that the standards of construction in Montgomery at any rate are not up to the standards which are definitely required in the City of Calgary. Now, again I am not stating that in any spirit of criticism, I am just stating that as something which an official of the City told me regarding the buildings in Montgomery.

Q In other words then if this sewer and water had been provided for these homes there would be no objection to them as housing?

there is a class of people, and I have no doubt there is, who could not afford to build houses in the city and I think it is perhaps a fairly large proportion then I am afraid the answer is very difficult to arrive at because short of liberalizing lending terms under the National Housing Act within the city, I don't believe a lot of these people could have been accommodated in the city.

Q Well then --

A The whole question is a rather difficult thing to deal with because it goes beyond the levels of authority of the Municipal Governments, even the Provincial Government. I think it's possibly an expression of whether or not the National Housing Act is in fact, it is in fact reaching as many people as it ought to.

Q In view of the high proportion of apartment and flat dwellings in the city which is about 40% of all the separate living accommodation in 1951 we can assume they would have gone into probably a lower quality of rental apartments --

A Yes, that's true.

Q Quite likely into conditions where the square footage of living space they had would be certainly not more and probably less than what they have at the present time.

A Well, yes, on the square footage, but if you are speaking of standards, Mr. Smith, there are other things which come into standards beyond square footage. It's a question of, well, I suppose every individual has to decide it for himself

whether he wants to run the danger of living in an area which is fairly densely built up on 50 foot lots with outside privies or even septic tanks and local wells or whether he will settle for something less from the point of view of living area that is within the area and live in the basement, where it will probably be safer from the sanitary point of view because he is going to have plumbing facilities in the basement.

THE CHAIRMAN: Yes.

Q Where he wouldn't have water and plumbing facilities living in a small house out in the suburbs.

MR. SMITH: It is agreeable, of course, if a person could choose the alternative of a 50 foot lot and his own home as being --

A Well, that is a matter of individual choice, certainly.

Q Now then, another matter in connection with housing, it is always brought up it seems in metropolitan housing and here I mean the fringe type of housing is discussed and recently when the matter of bringing such areas within the city, the low assessment and relatively low taxation per head that is contributed by these areas, would you think that the taxes contributed by these homes per family would be any less now than they might be if they were living in a basement suite or inferior accommodation?

Q I have no statistics on that, Mr. Chairman, so I wouldn't like to make a comment on that statement, on that question.

Q MR. HAYES: You have no opinion of your own?

A Well, I would say this, Mr. Chairman, that if the occupant

were living, assume for instance he is living in the second suite in a two-family dwelling in the city, I believe the assessment in the city on that two-family dwelling then would be sufficiently greater than a single family dwelling in the same district to cover any additional taxation which might be coming in were he living in a small house in the suburbs.

Q MR. SMITH: And that I doubt, sir. In fact it appears that the assessments on houses, at least on a square footage basis, as done on a cubical basis in Bowness appear to be anything from 15 to 20% higher.

A Mr. Chairman, Mr. Smith has done more research on assessments than I have, perhaps he would like to answer the question himself.

Q I am merely trying to make a point, sir, that these people are, through owning their small homes, contributing more to Municipal levy than they would be in low quality basement suite accommodation. Now, when we consider the basement suite accommodation in the light of low quality we can't link it with low rents because in a good two-family area rents in basement suites are not low, they run 60 to \$100.00 per month. Now, I venture to say that people who own these small homes could not afford 60 or \$100.00 a month, the average medium rental in Bowness is in the neighbourhood of 48, sorry, \$39.00 a month, so it is doubtful

The first part of the report deals with the general situation in the country. It is a very interesting and informative study of the political and economic conditions. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country and its people.

The second part of the report deals with the specific details of the situation. It is a very detailed and thorough study of the various aspects of the country's life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country and its people.

The third part of the report deals with the future of the country. It is a very thoughtful and well-reasoned study of the various possibilities for the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country and its people.

The fourth part of the report deals with the conclusion of the study. It is a very well-written and well-organized study of the various aspects of the country's life. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country and its people.

they would be contributing anything near to the Municipal coffers than what they are now. Mr. Martin, if the metropolitan limits or the city limits were extended, and we assume there is that alternative, I presume that at the same time in either case the provisions of the City By-laws, the standards of the City By-laws would have to be extended as well, if they were extended what would be the effect on the construction of new homes on 50 foot lots without sewer and water?

A Well, if the city's if the city present regulations were kept in force there would be no permit granted on 50 foot lots without sewer and water. The city has a policy now of giving building permits only in very exceptional cases even with a septic tank and there is distinct requirements that when the sewer goes by he must hook in, regardless of the expense he may have incurred with the septic tank in the meantime.

Q Then this alternative outlet for the accommodation that we have had in the past few years will disappear?

A Yes, it would.

Q It would --

A If the city's regulations remained in force, there is no saying they would under the scheme proposed here for the solution of the metropolitan --

Q Quite likely they would, which would make it all the more

essential that some kind of housing legislation be made ready if the opportunity for people to establish themselves in what they at least consider better accommodation is taken away. Go to another subject now, Mr. Martin, on page 19.

THE CHAIRMAN: Mr. Smith --

MR. SMITH: Yes, sir.

THE CHAIRMAN: -- by better accommodation you mean accommodation more suited to their means, is that what you mean by better accommodation?

MR. SMITH: Well, it is a combination, I would think, of both, sir. More suited to their means and they would get more for their money, they lose on the health aspect, there is no doubt about that, but in talking with a lot of these people they feel they are immeasurably better housed in their own home on a 50 foot lot considering that they have large families, the children have freedom which they would not have in the alternative accommodation in the city.

THE CHAIRMAN: Mr. Smith, Mr. Commissioner Hayes asked Mr. Martin if he had any opinion as to how this type of accommodation could be provided which he said if the city boundaries were extended and the city regulations as at present were in force, Mr. Hayes asked him if he had any opinion or any suggestion as to how such accommodation could be provided and I think you asked him nearly the same question.

He said, he gave us a good deal of information as to amendments to various existing legislation which would have to be made but it seemed, my memory seems to suggest that when he was before the Commission before he made some comment on subsidization, subsidization of housing and he didn't repeat that today. Am I right, Mr. Martin, in saying that you haven't repeated that?

A I think perhaps I referred to subsidized housing, Mr. Chairman, but I don't think I referred to it from the point of view of recommending subsidized housing. I referred to it from the point of view that the only solution may be for a certain class --

THE CHAIRMAN: Yes?

A -- but I don't think it would cover all the classes of people living in the suburban communities.

Q That is a possible solution?

A That is a possible solution, I didn't say I favoured it.

Q All right, I wanted to get Mr. Smith's opinion. Now, he is concerned and so is the Commission about this very question and I would like to have an expression of opinion from Mr. Smith if it's possible, as to where he would stand in the matter of subsidization of housing.

MR. SMITH: I don't believe in subsidies, it is a basic concept of my own.

THE CHAIRMAN: That is all I want to know.

MR. SMITH: I could maybe go a little further on the question, I am by no means an expert on housing but what I have read the rentals which usually must be charged for this housing and it usually is in multiple units, that is the subsidized type are not normally low, not as low as you might expect from subsidized housing, as a matter of fact some of the private concerns seem to be doing a lot better job than the public entry into this field. We are talking of providing alternative homes --

THE CHAIRMAN: Yes, thank you.

Q MR. SMITH: -- and the only way that that can be done and overcome is through an extension, I believe, of the National or some other Housing Act which I imagine is a very ticklish subject with certain authorities.

MR. BLACKSTOCK: If something of that kind can be done would we not be driven back to fringe development again?

MR. SMITH: Yes, sir.

MR. BLACKSTOCK: And that is one of the things we are supposed to try and cure and we can't cure it unless we have a proper diagnosis of the trouble and next door to providing a remedy when we have the diagnosis completed otherwise the disease breaks out in a fresh spot. Have you any ideas along those lines?

MR. SMITH: Well, you notice that the recommenda-

tions have always been that there should be a regional planning authority which having in fact control over subdivisions has control over creation of parcels of land and therefore over building. Now, if such an authority worked hand-in-glove as I have no doubt they do with the City to prevent subdivision in effect they would prevent the repetition, but you don't solve the housing problem.

MR. BLACKSTOCK: Well, what's to stop the farmer on the fringe on building a number of substandard houses and renting them without subdivision?

MR. SMITH: His own Municipality, for instance he must have a building permit when he is putting a dwelling up, a development permit.

MR. BLACKSTOCK: Well, my observation over a long number of years is this that the Municipal Building By-laws were not very well enforced and Springbank was one of them, that was before it became a Town or a Village.

MR. SMITH: Well, Springbank since it has had a Building Inspector has done an excellent job of enforcing the by-laws, it is a case of enforcement.

MR. BLACKSTOCK: Within what number of years?

MR. SMITH: Within about the past two years, is that not so, Mr. Martin?

MR. MARTIN: Yes, about two years.

MR. SMITH: They had a Building Inspector before

then but he was rather ineffectual.

A Mr. Chairman, I would like to refer once again to fringe developments. I think fringe developments and living in suburban communities can be tolerated even on 50 foot lots up to a point but the contention stated in the Brief is this, that the very rapid post-war development has raised the population to such a size, and there is every likelihood that the population is going to continue to grow in some of these communities anyway, and you may get to the point where you have eight, ten, 12,000 people living fairly congested conditions, not congested shall we say but on fairly dense developments and still have no sewer and water. I maintain that regardless of the motive of people living there how well they like it in preference to basement suites in the City of Calgary or any other reason there is just an intolerable situation because any epidemic, I mean, can certainly prove very quickly that it was an unsatisfactory state of affairs and it can happen very rapidly. The other aspect of the thing is stating the problem, how are you going to solve it. Admittedly we only approach the problem in this Brief from one point of view, but I would like to say this that as Mr. Smith mentioned there are firms in Calgary building rental accommodation now for \$48.00 a month. Now I don't know just what group of people that would reach in Montgomery, Forest Lawn and Bowness, but I imagine it would reach quite a substantial group.

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What I am trying to suggest is that before we make any recommendations for subsidized housing we do fairly careful surveys of what the actual need is because there may be many people living under conditions of that kind who could, when compared with people in the same financial circumstances living say in the city, live in the city also. What I am trying to further suggest is that the fringe developments are comprised many in part by people who can afford something better.

MAYOR MACKAY: Mr. Chairman, I wonder if I might make just an observation out of the world of personal experience on this particular problem which we are speaking about. It seems like a long time ago but during this discussion this morning it all comes back to me the people who are building the small humble dwellings are faced with one insurmountable problem, when they go to put in their plumbing they are beat. The average fellow, as Mr. Martin I think has brought out, can handle that small payment of his lumber bill and he seems to be able to make arrangements up to that point, but when somebody says, "Now, here is \$1000.00 that has to be put into the plumbing on your home.", he is beat and because he can't find the answer to that he goes out into the fringe areas, because a little privy comes a lot cheaper than a \$1000.00 plumbing bill. Now, in our land assembly scheme of the National Housing Act they happened to call a land assembly scheme of 75-25%

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where the Federal Government is willing to put up 75% if the Provincial authorities and Municipal authorities will absorb the other 25% to prepare the major utilities, that is to put in water mains and sewer mains. Now, if someone will come forward with the answer to whether it is Provincial or Federal levels that a person of limited means who wants to be his own home owner can have written into that long-term agreement the financial obligation of that plumbing facilities, I think you can find the answer to your humble dwelling and the fact it is a fringe area and becomes ultimately a blight because if these come one after the other the privies become 25 or 35 or 50 feet apart, you are building up a terrible health problem, but I know when I built my own home I was scared out of about ten years' growth, I think, when I finally ran into, head-on into what it was going to cost me to put the utilities into my home and it took me five years before I got beyond that point and I am sure that that is the answer as to why the majority of people are in your fringe areas today and not in your cities.

THE CHAIRMAN: Thank you, Mayor Mackay. We have an agreement with these gentlemen, the Court Reporters over here that we take a recess for fifteen minutes so will adjourn now until five minutes after eleven.

(Adjournment)

THE CHAIRMAN: Then will you carry on, Mr. Smith, please.

Q MR. SMITH: I think in the matter of housing now,

sir, we have pretty well established that the housing is the basis of the problem that we have not got a solution for it, we can suggest a solution --

A Well, Mr. Chairman, I made certain recommendations on the Brief on page 31 and page 32 regarding housing and I say "The Commission recommends that representations be made by the Provincial Government for liberalization of the N.H.A. or alternatively the establishment of a Provincial Housing Act." I refer in the Brief to the two methods of financing which the people who now live in the fringe areas have. They are both unsatisfactory for various reasons, and I go on in the last paragraph to say, "Amendment of National Housing Act provisions resulting in lower down payments, longer term mortgages and lower interest rates or a Provincial Housing Act with such provisions would go far toward getting at the cause of some of the fringe problems. At the same time building codes, including N.H.A. requirements, should be examined to see whether they are outmoded in the light of some modern construction methods and materials. Everything possible must be done to bring down the cost of housing and improvements." Now, having said that I am still of the opinion that there will still be a group of people who have to be housed and who could even then not be housed and I think that that is when you wnter into the field of subsidy and I think there is a general reluctance on the part of Municipal governments and Municipal officials to recommend subsidies, and it probably

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It is a very common mistake to suppose that the

only way of getting rid of a bad habit is to

try to suppress it. This is a very dangerous

policy, for it only makes the habit more

strongly fixed. The only way of getting rid of

a bad habit is to replace it by a good one.

For example, if you have a bad habit of

smoking, you should not try to suppress it,

but rather try to replace it by a good habit,

such as reading or walking.

By doing this, you will be able to get rid of

the bad habit without any harm to yourself.

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stems from the fact that in essence it is a welfare proposition, and I think the Municipalities all across the country are now maintaining that welfare is something which they should not, well, it's a responsibility with which they should not be charged, and they are right in that assumption and therefore I think the Municipal officials and Municipalities generally are very reluctant to recommend subsidies in the form of solving housing problems, but I can't see any other way in which it can be done, at least for a certain group of people, I am not saying that all people living in that community would be affected by subsidy, because I am certain they would not be, but having mentioned the word "subsidy" it brings up all the unpleasant business of going into a person's financial means and determining who is and who is not going to qualify for subsidized housing. I think those are all the implications we have to consider when we make recommendations for subsidized housing, and I think a large part of the reluctance on the part of the Municipal officials.

THE CHAIRMAN: Yes.

MR. MACKINTOSH: Mr. Chairman, I would like to make one observation on the land assembly scheme of which His Worship Don Mackay spoke.

THE CHAIRMAN: Mr. Mackintosh, I wonder if you



should not wait until Mr. Smith completes his examination. Mr. Smith, will you continue?

Q MR. SMITH: Yes, sir. Mr. Martin, yesterday I think Mr. Brown and yourself established that the relations between the District Planning Commission and its members were nothing short of excellent and I wondered if we might get around to just a few words of Planning Administration again, would I be right in suggesting that these excellent relations which have resulted generally in, in maintaining the zoning plans has been rather circumstantial in that there hasn't been anything arise which might cause any great difference of opinion and therefore would cause a Municipality to give up its membership as has happened, I believe, in Edmonton on a couple of occasions, in other words the planning administration under the Regional Planning Commission could very easily become, be made very difficult?

A Well, I agree with that, Mr. Chairman. I don't think it is entirely circumstantial though. I wouldn't say it is entirely circumstantial, I think it has something to do with the, with the personal relations which are established say at the outset of the formation of an organization of that kind, but I think the circumstantial point which Mr. Smith brings up would certainly be an element in any future misunderstanding between the Commission and any of its

member units if any member unit were very much in favour of say a fairly large development which is contrary to what the Commission has agreed to as being in the best interests of the general plan which is being worked out, that Municipality in which the development was proposed would have every right, subject to appeal to the Provincial Planning Advisory Board to go ahead with this development and it might mean that it could cause ultimate secession of that Municipality from the, from membership say in the Calgary District Planning Commission and of course that would be a very serious blow to the efficiency and to the effectiveness of the work of the Calgary District Planning Commission. What I would like to reiterate again and that my point in examining the present legislation and the present operation of the Calgary District Planning Commission was just to bring out the fact that the Commission could, it had been working satisfactorily in Calgary, but there is no assurance in the legislation that it is required to keep on operating.

Q Membership and the will or desire to undertake any sort of planning or development control is purely voluntary then on the part of any Municipality?

A Yes.

Q And the only way to stabilize that would be to make it compulsory?

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A Subject to appeal.

Q Compulsory to retain membership?

A Compulsory to maintain membership subject to appeal.

MR. BLACKSTOCK: I don't quite understand that, Mr. Martin, compulsory membership is subject to appeal?

A Well, under the present, under the present I am assuming that the Provincial Planning Advisory Board would remain, the Provincial Board which has jurisdiction over planning matters in the Province and the ultimate Court of Appeal now is the Provincial Planning Advisory Board, I am just working within the framework more or less of the present set-up.

Q When you speak of compulsory membership that means compulsory membership, doesn't it? You mean that they can withdraw by appealing to someone?

A Well, I would say that it should be subject to appeal, I think that all rulings within any legal procedure are subject to appeal, or most of them, and I think it is a requirement for remaining in the Calgary District Planning Commission should also be, or any District Planning Commission should also be subject to appeal.

MR. BLACKSTOCK: Yes, I can appreciate the matter of appeal, with reference to an application which has been made, and which has been decided one way or another and the dissatisfied party can appeal to those other parties

The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California.

The total area of land owned by the United States in California is approximately 100,000,000 acres. This land is divided into several categories, including National Forests, National Monuments, and National Antiquities.

The National Forests are managed by the Forest Service, which is a part of the Department of Agriculture. The National Monuments and National Antiquities are managed by the Bureau of Land Management, which is a part of the Department of the Interior.

The land owned by the United States in California is primarily located in the Sierra Nevada mountains and the Sierra Pelona mountains. It includes some of the most beautiful scenery in the State, and it is a valuable resource for the people of California.

By Special Agent in Charge, Bureau of Land Management, Department of the Interior.

Approved: _____

Special Agent in Charge, Bureau of Land Management, Department of the Interior.

you speak of, but membership, I cannot understand a combination of compulsory membership and an appeal against it.

MR. DAVIES: Don't you mean, Mr. Martin, that the assumption is that a member would be withdrawing because if some matter came up and that the Commission by a majority vote decided against that particular member and therefore that member would withdraw. When you say compulsory membership subject to appeal what I understand is that if there were compulsory membership and a given matter came up that a member of the Commission didn't like and was going to withdraw, now by compulsory membership I don't understand they can withdraw at all, what I understand is that there should be an appeal to a higher authority, that all the members of the Commission would have confidence in that would rule on the decision of the District Planning Commission and when that higher authority ruled on that, however that ruling went it wouldn't affect the membership at all. Now, have I got that wrong, or have I --

MR. HAYES: That clarifies it.

A That is actually the desirable point of view, but let's look at the other case too, let's look at the case of the case where the Municipality which deems itself, considers itself to be suffering hardship through membership in the Calgary District Planning Commission should it have the right to be heard by some independent body on that basis?

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COMMISSIONER BLACKSTOCK: Now, let's take a specific instance and that is the Town of Beverly which had what is called a dormitory town. They made an application to the Public Utilities Board to enlarge the boundaries of that Town and included in that large area was a creosoting plant with, I suppose, a fairly high assessment and that aggregation was heard by the Public Utilities Board, it was decided by the Public Utilities Board that the creosoting plant logically and properly should be in that portion of the Town of Beverly. Now, it happened that that application was really sponsored by the Planning Commission but the decision of the Board of Public Utility Commissioners --

A Yes.

Q -- and as soon as that decision was made the Municipal District of Sturgeon decided to withdraw and did. Now, where is your right of appeal there? Supposing it was compulsory, compulsory membership instead of voluntary?

A Well, it seems to me there is still a stage in between though under arrangement where there is an appeal they couldn't voluntarily withdraw, it just wouldn't be possible unless the case of their withdrawal was heard by some Board.

COMMISSIONER BLACKSTOCK: Yes, but what would they appeal against in the case I have just instanced? No right of appeal against an Order of the Public Utility Board. What would they appeal against? I mean had the membership been compulsory instead of voluntary?

A Well, I don't, don't you think though a Municipality could consider itself to be harmed financially or otherwise through it's, through the inclusion in a District Planning Commission and on that basis alone if that were the case do you think it ought to be heard? I am not saying they should withdraw willy-nilligent because something has been done not to their satisfaction which presumably has been done now in the Edmonton District Planning Commission according to the withdrawal of the Sturgeons.

COMMISSIONER BLACKSTOCK: Well, I think if you are going to have compulsory membership the word should be compulsory.

DR. MAYO: What we find difficult to follow, or at least what I find difficult to follow, Mr. Martin is that how membership alone can damage them, is it not the substance of content of some decision which they may object to but not the fact of compulsory membership?

A Yes, that is quite true. I see that point, yes. It would be much better to have an appeal against an individual application which may or may not cause them harm than to permit them to withdraw.

Q If they do withdraw what happens to your original planning in the future, if several of those surrounding Municipalities withdraw from your original Planning Body, what happens to your original planning --

A Well, it throws it out completely, of course, if they withdraw, but now they can withdraw voluntarily it seems to me

that under an organization where they, there would be a right of appeal or the right of hearing at any rate before they were permitted to withdraw, there would be some additional assurance that whatever higher Board would hear such a thing would not consent to their withdrawal.

Q Even if they are permitted to withdraw and appeal and a number of members do that, is not your original planning then dead?

A Yes, it is, but presumably whatever Appeal Board were set up for the purpose of having that consideration in mind and not grant the withdrawal.

Q Well, why give the right of withdrawal --

THE CHAIRMAN: Mr. Martin, I would like, with Dr. Mayo's approval, that we continue with the cross-examination and argue this point about what a, whether compulsory means compulsory or not a little bit later.

A Well, appeals should be compulsory on individual applications or rather appeals should be granted on individual applications but membership should be compulsory.

THE CHAIRMAN: Well, all right. All right. That is what we thought at the beginning and you can carry on with Mr. Smith.

Q MR. SMITH: I think the remark that I suspect the Provincial Government will take some leading to make membership compulsory is almost like saying to the City it is compulsory to have A Planning Project and I think therein lies the difficulty

At any rate I do think the Provincial Government might justify itself in view of the fact that it can point out that as an area becomes more highly urbanized its cost to the Province increases and since the cost to the Province increases and can increase drastically as is illustrated by some of the smaller urban areas like Bowness and Forest Lawn therefore then if the Municipalities feel in the first instance that they have a right to Provincial aid, then the Province has a right to require them to regulate their development. Now, Mr. Martin, there is a good deal of difficulty in enforcing zoning by-laws, I don't think so much on the part of the City because it is more there a matter with them of the, the extent of the enforcement is a matter of the will of the Council, they have the authority and they have the machinery and money to do it, I refer in here more particularly to the smaller Municipalities and the smaller Towns and the Municipalities where they have such problems such as people moving buildings illegally and moving into the buildings and then in trying to dispossess the people in the Courts they are informed they must find first alternative accommodation before it can be accomplished, I don't know if that is a matter that this Board can deal with at all.

A I think it is very much to the point, Mr. Chairman, and it is something that I had in mind when I prepared this Brief, and had there been time possibly the Brief would

have been enlarged considerably but the matter of enforcing it is something which I touched on briefly as part of the administration which are guarding or directing the development in the Metropolitan Areas, and I refer to that fact when I examined the administrative and legislative problems in the Metropolitan Area in the first place they were subject to about four different Municipal Acts, you had a Town Act, you had a Rural Municipal District Act, you had a City Act and then you had the Local Improvement District and each of these Acts have different powers in different ways and they have different powers as far as enforcement is concerned so you can't, under the present legislation get uniform enforcement across the board in the Metropolitan Area, for instance if in the City we find the Town and Rural Planning Act is insufficient for enforcement measures under the Zoning By-Law or under zoning regulations we have recourse to a certain section of the City Act, Section 710, I believe it is, which has been very effective in clearing up, in clearing up violations of the Zoning Regulations and the Interim Development Regulations, but the Municipalities on the other hand, and I think Mr. Lawrence of Springbank can confirm this, they had great difficulty in enforcing their Interim Development Commissions because of the weakness of the Municipal Act and the District Acts from that point of view which initially, I suppose, was not drafted for the urban type of development, and I should

go further and say that although it is not stated in the Brief enforcement both in the metropolitan area and in the regional area would be an important part of the controlling development. I think it is an important part anywhere in the controlling of development, the actual By-law itself will not do it.

Q Mr. Martin, in your experience as a Planner do you have many complaints from people who claim that they didn't know what the zoning was of the property?

A Yes.

Q And since this is a case of "buyer beware" there isn't really very much you can do about it although these people may have bought in good faith, I mean they must abide by the zoning?

A That's true.

Q Do you think there is any way that these people could be required simply to avail themselves or acquaint themselves with the various City regulations and restrictions or the Municipal regulations and restrictions of purchasing property?

A Well, of course there is an old saying, Mr. Chairman, "Let the buyer beware", but in this particular instance perhaps that is not sufficient to cover the circumstances, but it is a fact that many people buy land and subsequently find that they are facing what they previously thought was a park but which is in fact a commercial district and was

a commercial district when they bought the property and I think what Mr. Smith has in mind is when they enter into an Agreement for Sale that it be compulsory by Provincial Statute to sign perhaps a document that they have made an investigation of the zoning of the property itself and the adjacent zoning and they are aware of what that zoning is. It does constitute a problem.

MR. CRISP: Excuse me, may I say a word on that?

THE CHAIRMAN: No, please not now. I will give you a chance later. I am very anxious that Mr. Smith should not be interrupted again.

Q MR. SMITH: This matter of zoning, zoning and assessments becomes rather important, Mr. Martin, when you extend your City Limits to the extent that we have in mind and I think it is important whether or not you extend your City Limits. What I have in mind here is that Municipalities now in their rural zoning may zone property for agricultural purposes or for small farm purposes or for suburban purposes and by that zoning they regulate and affect the size of land, the size of property to which land may become subdivided, to which land may become subdivided, also if land is adjacent to the highway there is a tendency and a desire on the part of the adjacent landowner to capitalize in whatever manner he can from the juxtaposition to the highway. Now, his property has

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been zoned for agricultural purposes, he can't use the land other than for commercial use and therefore feels that a hardship has been created. Do you think that there is anything in the assessment procedures which could recognize the zoning particularly in the agricultural areas so that the base may be maintained in accordance with the zoning rather than in accordance with what might be termed a real proximity value?

A I think in a case of that kind, Mr. Chairman, under present assessment, the present Assessment Act it would be assessed as an agricultural parcel and whatever value the man himself placed on the property would not be reflected in his assessment or in his taxation. I would like to say further that as far as the present Town and Rural Planning Act is concerned there is a clause which states that property shall not be deemed to be injuriously affected through the passing of a zoning by-law, in other words if it is agricultural property and was zoned as such and somebody claims that it ought to be commercial property the Act specifically states that his property was not damaged through zoning agriculturally, presumably he would have recourse to the Courts, but I think that is the attitude which Municipalities should take. By our Submission on behalf of the City and we mention it also in the Calgary District Planning Commission Brief we referred to the fact that in a new Metropolitan Area there would be large

tracts of land which are almost entirely agricultural in character although in the future they will almost certainly be required for expansion purposes, and that at the present time there are only two grades of taxation, there is the full urban taxation and there is the agricultural taxation within the City, which is tied to an eight acre parcel size, without going into any great details, but under our proposal we would seek an amendment to the Assessment Act whereby different grades of service areas and utility areas could be established in the new Metropolitan Area or the City, wherever it is going to be, which would take into account the activities which are carried on on the property and services which he in fact, or that particular zone shall I say, actually gets from the City and the assessment on the property of the taxation collected would be a reflection of what the City is actually doing for that person or in that zone, shall I say, and I believe we point out some of the advantages which would come from a system of that kind.

Q You will be covering that more fully?

A Well, I think it can be read into the record so that --

Q Fine.

A -- the reason for the services into the zone.

COMMISSIONER BLACKSTOCK: I would hate to have the job of drawing up the Assessment Act here, Mr. Martin. I see Mr. Bredin nodding his head in approval.

Q MR. SMITH: That is why, sir, I mentioned the

possibility of the zoning in an area having some form of governing effect on the assessment, criterion of assessing property. There is now at the present time, I think Mr. Hayes can confirm it, a tendency for land which lies close to a highway or closer to a Development Area to receive a benefit factor in the assessment of that land even though they may still be carrying on a purely agricultural use. Now you naturally then, you induce a desire on the part of the owner to either profit or get out from under by a subdivision of his land, if you have the property zoned for agricultural purposes he may not do that, he may not have a purchaser for 20 acres of agricultural land but he may have a purchaser for one acre of commercial land alongside the highway, and if the Assessment Act could be amended to that extent, that the people have a restricted use of their property that these various benefit factors should not be brought into the criterion in the assessing, you might then be better able to control and restrain your development. At page 32, Mr. Martin, "the Commission recommends close co-ordination in highway planning between the Provincial Highways Department on the one hand and the Metropolitan and Regional Planning Authorities on the other." Not living in an Indian Reserve down here, we have a little less to say as to the location of our highways, but do you think it is necessary for the, to outline to the Commission, some of the effects of the location of a highway

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on the internal development of a city?

A Well, Mr. Chairman, I think it is enough to say that the location of highways as they pass through an urban area have a very profound effect on how that area might develop, and the forces which shape its development insofar as that is true I think the planning, the discussion as between the City or the Metropolitan Area whichever would be the solution should be done at a very early part of the planning stage particularly as it concerns the location of the highway through the Municipality and similarly is that true on a regional scale, because on a regional scale the, I think the highway should be conceived not only from the point of getting goods from one part of the Province to the other but also from the point of view that they can play a very great part in developing any particular region within the Province and I think all these things should be taken into consideration, I think highways should be considered not only from the point of view that they are roads over which goods are carried between one part and another, but also from the point of view that they are more so possibly than the railways in the past the deciding factors in the development of a region or a Metropolitan Area, and as such I think the discussions on the plan in particular of the location should take place at a very early stage.

Q Do you think it advisable that within, within a reasonable distance of a city or a Metropolitan Area that not only

should the discussions take place at a very very early stage but possibly the voice of the particular Municipality should be able to bear a little weight, if anything could be designed so as to give a Municipality an opportunity to decide how close to or where in a Municipality a highway should go?

A Well, I think that may be the case although I wouldn't like to commit myself on that, Mr. Chairman, not having examined the legislation that would apply in this particular case and how it would conflict with the existing Provincial legislation.

Q Well, legislation would make that more difficult, Mr. Martin, at the present time. Now, I would like to ask a few questions on your Plan at the back of the book. I observe, Mr. Martin, in District 2, south and west of the City you show the west boundary, proposed west boundary as being about halfway up a bluff, a hillside which runs up there?

A Yes.

Q You suggest that it somewhat approximates the level of the water system. I would like to suggest that maybe it is a little higher than that level, would you not think it better to show the west boundary, the full mile west of the City so as to take in control of the development of the whole hillside?

I think I would under the, this Map is rather hurriedly prepared, I think in this particular case the thing which

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Mr. Smith suggests would be the better solution, possibly also from this point of view that as stated in the Brief the suburban developments should be a part of the city or Municipal Area rather than a part of the Municipal District, and in this particular area at any rate, partly because of the topography, there has been quite a strong tendency to apply for breaking that land down into acreage parcels, that is acreage parcels of about two to four acres for suburban living and I think from that point of view the half mile to the west would be just as logical for inclusion as what is shown here.

Q It would give then an opportunity for city people who like to live in the country a chance to live in the country but still be within the city, not too far from the city?

A Yes. Well, I think I mentioned that in the main Brief, we should provide opportunity for a city home of that kind in the urban municipalities.

Q And looking into the long term, the possibility of even servicing for facilities and the necessity for establishing a sub-division pattern as you can see from looking at the plan should follow the conformity of ground?

COMMISSIONER BLACKSTOCK: Let me get that clarified, Mr. Smith.

MR. SMITH: Yes, sir.

COMMISSIONER BLACKSTOCK: Are you suggesting that the west

boundary should be the line between Sections 1 and 2?

MR. SMITH: Between Sections 14 and 15, sir,
or 23 and 22.

MR. MARTIN: Between 3 and 2, sir.

MR. SMITH: Oh, 3 and 2?

A Three and 2, on the mile rather than the half mile.

COMMISSIONER BLACKSTOCK: Yes.

Q MR. SMITH: Mr. Martin, on the south limit you
show the boundary as being south of what I believe is
called Fish Creek. Now, presumably sewer and water cannot
be extended across the valley and the creek, what is the
advantage of bringing the boundary line down that far
south?

A Well, the other alternative, Mr. Chairman, was to make
the boundary on the creek itself. Now that would require
a surveyed line, and the creek itself is subject to shift-
ing, considerable shifting in its course, and that was the
chief reason for doing that, Mr. Chairman.

Q In effect then you will control the development on both
sides of the creek?

A Yes, we control the development on both sides of the creek
as well.

Q Thank you, sir.

THE CHAIRMAN: Now then, --

MR. P.L. CRISP: There is just one point that I --

THE CHAIRMAN: Will you identify yourself please.

MR. CRISP: My name is P.L. Crisp.

THE CHAIRMAN: P.L. Crisp.

MR. CRISP: On behalf of the Town of Forest Lawn.

THE CHAIRMAN: Forest Lawn.

MR. CRISP: When the discussion was being carried on over the business of a person not knowing the zoning of a piece of land the remark was made to the effect that ignorance of the law is no excuse but I am quoting from other legislation from Britain and from, I think probably in the United States, which has been made incumbent upon the legal profession to carry out what they call a legal survey on any land transaction which takes place and a nominal fee is charged by the Metropolitan or City authorities for that service and standard questions are set out in forms there which can be answered quite simply by the Departments concerned which give full details of facilities available, utilities, and the planning zoning and in that plan I think they were setting up tentative legislation and we must cover that aspect of ignorance of the planning zoning when it did arise.

THE CHAIRMAN: Thank you, Mr. Crisp.

COMMISSIONER DAVIES: Mr. Martin, I have a number of questions that I would like to ask you.

MR. LOVE: I am sorry. Would you care to go ahead, sir?

COMMISSIONER DAVIES: No, we would sooner that the floor

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed overview of the budget, including the projected income and expenses for the upcoming year. This section also discusses the various financial risks and how they are being managed to ensure the organization's financial stability.

3. The third part of the document addresses the operational aspects of the organization. It describes the various processes and procedures that are in place to ensure the efficient and effective delivery of services. This section also discusses the various challenges that the organization is facing and how they are being addressed.

4. The fourth part of the document discusses the human resources of the organization. It provides a detailed overview of the current staff levels and the various roles and responsibilities of the different departments. This section also discusses the various training and development programs that are in place to ensure that the staff is equipped with the necessary skills and knowledge to perform their duties effectively.

5. The fifth part of the document discusses the legal and regulatory aspects of the organization. It provides a detailed overview of the various laws and regulations that the organization is subject to and how they are being complied with. This section also discusses the various legal risks and how they are being managed to ensure the organization's legal compliance.

6. The sixth part of the document discusses the environmental aspects of the organization. It provides a detailed overview of the various environmental risks and how they are being managed to ensure the organization's environmental sustainability. This section also discusses the various environmental programs that are in place to reduce the organization's carbon footprint and promote sustainable practices.

7. The seventh part of the document discusses the social aspects of the organization. It provides a detailed overview of the various social risks and how they are being managed to ensure the organization's social responsibility. This section also discusses the various social programs that are in place to support the community and promote social development.

8. The eighth part of the document discusses the overall performance of the organization. It provides a detailed overview of the various key performance indicators (KPIs) that are used to measure the organization's performance and how they are being tracked. This section also discusses the various strategies that are in place to improve the organization's performance and achieve its goals.

9. The ninth part of the document discusses the future of the organization. It provides a detailed overview of the various opportunities and challenges that the organization is facing and how they are being addressed. This section also discusses the various strategies that are in place to ensure the organization's long-term success and sustainability.

10. The tenth part of the document discusses the conclusion of the report. It summarizes the key findings of the report and provides a final overview of the organization's performance and future prospects. This section also discusses the various recommendations that are being made to improve the organization's performance and achieve its goals.

be first.

MR. LOVE: Mr. Chairman, and Members of the Commission --

THE CHAIRMAN: Your name, sir, please.

MR. LOVE: Love, representing Hays' Farms.

Q I would refer you to the Map next to your report, the City of Calgary Brief. On behalf of Hays' Farms Ltd., we are particularly interested, of course, in the south and in regard to your recommendation that amalgamation be brought, all the areas shown outlined inside the black on your Map be taken into the City, I am wondering in what sequence, what sequence is the City's idea of development, in other words what areas are to come first, if any, and where does the southern part of the City stand in that plan?

A I would say, Mr. Chairman, the sequence would be this to fill in first the Corlet which would be just a one-year operation if there weren't too much demand in other parts of the city, but it would probably take two years but long before then other areas would have to be opened up as well in the south part of the city, perhaps I shouldn't say long before but I should say within two or three years other areas besides the Corlet area due south, would have to be tapped as far as their residential potentialities are concerned and I would say that Section 21, Section 28 and Section 21 for residential purposes would be among the first Sections to be considered.

...the first time ...
...the other parts ...
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years ago

Q Now, you are referring specifically to the south?

A To the south, yes.

Q Now, without any specific time would you say that should develop within two, two and a half years?

A I would say three years, at the present rate of growth, three years at the latest, Mr. Chairman, and I say this from this point of view that, I don't know whether it was brought to the Royal Commission's attention at the last Hearing, I believe it was, we have just finished construction of a large storm sewer in the north part of the city which will make available land for about, well, 20 to 25,000 people, so the city has been growing at the rate of about 10,000 people a year for quite a long time now and going on that rough general estimate it would take only two to two and a half years to fill that area in the north up. The point is that before the area is full certain action would have to be taken in other parts should the population increase continue there will be a continuation of development and in that manner I arrive at something of a three year period at the latest.

Q In other words the development to the north and to the south would be happening simultaneously?

A Towards the latter part of the northern development the southern development would have to be starting.

Q The intent therefore is that the north will be developed definitely within the next 18 months or so, and at that

time possibly the south will begin to develop?

A Well, the development to the north will probably take five years to complete in its entirety but long before the five years are over the City will be making plans and in this case quite substantial plans because new disposal facilities will be required to develop the area to the south.

Q If the present part of the south as recommended, and this might possibly be a more proper question in front of the Board of Public Utility Commissioners, I was wondering, Mr. Martin, if you could tell me what would be the plan of the City in regard to, after it is annexed to rezoning, that I take it would be the next step?

A Well, that could only be answered in generalities right now, Mr. Chairman, but general observations on that would be that residential zoning would take place west of the highway and the industrial zoning would take place east of the highway, now, that is very rough generalization, and that the commercial zoning would take place in large part at selective points on the highway.

Q Would that rezoning of industrial and residential happen simultaneously, south?

A Well, the general plan of the rezoning would be stipulated almost from the beginning so that, well, it would almost have to be because the utilities are generally placed on the sort of land development which it is going to follow.

Q Would it be a fair statement, Mr. Martin, to say that when

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the public demand is there, and this is more or less practice, I take it, if the public demand was there for housing and industrial use in the south that it would be rezoned and when that demand came, if the demand came before the City decided to rezone?

A Well, no, I wouldn't like to say that because the zoning in itself isn't, isn't something which would satisfy the demand, extension of the utilities --

Q Yes?

A -- would also, because if this area, let's assume this area came into the City then it would have to be tied into the City's entire financial structure as far as capitalization is concerned of the utilities and the capital works required, and that sort of thing takes scheduled planning, and it is subject to that scheduled planning as well as the zoning.

Q That might have been a more proper question at first. Would the rezoning come first or would the utilities and financing and things of that nature be the first concern?

A I would say it would be simultaneous.

Q It would be simultaneous?

A The way we have been handling the Glendale and Thorncliff development the official zoning is applied when the land has been subdivided when the utilities are going in, and, in other words the land is planned first and the zoning is

applied to protect the area from encroachment by other uses which I think is the proper order.

Q I have been informed, Mr. Chairman, I have just tried to find it and I couldn't find it, a Board Order in August of '53 which states that property within a City shall be taxed at a maximum of 40 mills and assessed at an equivalent value as in the adjacent Municipal District?

A That is correct, that would be the case.

Q Now, will that case exist after this southern part is in?

A Yes.

Q Yes?

A Until it is developed in a more intense use that would exist certainly.

Q Now, once that is rezoned on what basis does that put that agricultural or farm land?

A Well, in effect what would happen here the land would be planned and then it would be rezoned and then immediately or very shortly thereafter it would go to straight residential assessment.

MR. BREDIN: I wonder, Mr. Chairman, if I might qualify Mr. Martin's answer on that question of the Board Order, that that Order is always subject to change and in fact was merely an amendment of an Order which had existed for some 20 years previous to that.

MR. LOVE: Yes, my question is directed at the City, have their reaction to that Board Order and what

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part outlines the various methods and tools used to collect and analyze data. It mentions the use of surveys, interviews, and focus groups to gather information from stakeholders. Additionally, it discusses the application of statistical analysis to interpret the collected data.

3. The third part describes the process of identifying trends and patterns in the data. It highlights the need for a systematic approach to data analysis, involving the identification of key variables and the use of appropriate statistical techniques.

4. The fourth part focuses on the communication of findings to the relevant stakeholders. It stresses the importance of presenting the results in a clear and concise manner, using visual aids such as charts and graphs to enhance understanding.

5. The fifth part discusses the implications of the findings for the organization's strategy and decision-making. It suggests that the results should be used to inform the development of new initiatives and the improvement of existing ones.

6. The sixth part provides a summary of the key points discussed in the document. It reiterates the importance of data-driven decision-making and the need for ongoing monitoring and evaluation of the organization's performance.

7. The seventh part concludes the document by expressing the hope that the information provided will be useful to the readers. It also mentions that further research is needed to explore the topic in more depth.

they feel, how they feel about it. We are told, Mr. Martin, that at the present time in this in the Division 1 of the Municipality of Springbank their mill rate of 37 mills would support all the financial structure, finances of that particular area of Division 1. Now, it isn't broken down on that basis simply because the Municipality of Springbank includes more than just Division 1. Now, are you aware of that particular fact or information and have you any comment thereon?

A Well, I think we should concern ourselves, Mr. Chairman, with the mill rate which is actually in effect and which I understand is 42.

COMMISSIONER BLACKSTOCK: Is that 42 mill rate, Mr. Martin, the mill rate over the whole M.D. of Springbank to which you are referring?

A I think that is the case. With a 42 mill rate being the uniform mill rate over the whole M.D.

MR. R.S. LAWRENCE: With the exception of the half mile area to the west of the city which is already annexed to the city for educational purposes only with that half mile exception that is correct.

COMMISSIONER DAVIES: Mr. Love, your point is, I believe that if this particular area, that Division 1 was set up by itself --

MR. LOVE: Yes.

COMMISSIONER DAVIES: -- that a 37 mill rate would support

that area.

MR. LOVE: That is right, that is the information we have received, we can't substantiate it in any way and I was wondering whether Mr. Martin had --

A Well, I think I have heard, I have heard that, I don't know whether it was 37 mills but I know it was less than the present mill rate which would be, which was being charged by the Municipal District. I was wondering what the point of Mr. Love's question was, if I might ask that question, Mr. Chairman?

Q Well, on the, it has been suggested that there would be a graduated rate of tax if this particular portion is annexed to the city for the taxpayers or ratepayers in that area and our calculations on a separate townsite have come to 50 mills, that is in our own Brief, Mr. Martin, and we have found, at least we have received information that it stands, at the present time it is 37 mills and we were wondering where the City might stand once it is annexed on this suggested graduated scale.

A Oh, I see, well, the city would stand in this position, Mr. Chairman, that as long as it remained agricultural land which it basically is at the present time I suppose the mill rate would be 40 mills.

Q Yes?

A Which is the uniform mill rate of the city in agricultural

1947

Mr. [Name]

Dear Sir:

I am writing to you regarding the [Topic]

of the [Topic]

the [Topic]

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areas.

COMMISSIONER BLACKSTOCK: Subject to an application to the Board to vary the terms of that Order.

A Subject to the Board of Public Utility Commissioners.

COMMISSIONER BLACKSTOCK: Yes, remember that 40 mills was not too scientific but it was a compromise with relation to the mill rate in the then three Municipalities which are under the city.

A Well, the main principle of the City's Brief in this connection, in this connection, particularly in connection with this large area to the south, Mr. Chairman, is that although it should be in the City from the point of view of future expansion, there are other reasons, nothing should be done by way of taxation particularly which will work a hardship on the people in those districts until the land is actually broken down for urban uses, then, of course, it would revert to the mill rate which would happen to be applicable in the City at that particular time, and no one can say that.

MR. LOVE: Well, that's fine, Mr. Martin, thank you, thank you very much.

MR. C.H. FRERE: I have a few questions, Mr. Chairman.

THE CHAIRMAN: Mr. ?

MR. FRERE: Frere.

THE CHAIRMAN: Would you, is it convenient for you to return this afternoon?

MR. FRERE: That would be satisfactory.

THE CHAIRMAN: Very well.then, and since it is two
minutes or so to time of adjournment we won't begin this
but adjourn now and reassemble at 2:00 o'clock.

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters α and β . It is shown that the system has solutions for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied. In the case when $\alpha + \beta < 0$, the system has no solutions.

2. In the second part of the paper, the question of the uniqueness of the solutions of the system (1) is considered. It is shown that the system has a unique solution for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied.

3. In the third part of the paper, the question of the stability of the solutions of the system (1) is considered. It is shown that the system has stable solutions for all values of the parameters α and β if and only if the condition $\alpha + \beta > 0$ is satisfied.

2:00 P.M. SESSION

7 DECEMBER 1954.

A.G. MARTIN, having been recalled testified as follows:

THE CHAIRMAN: Now, Mr. Martin, I see we have a chair this afternoon.

A I will appreciate that, sir.

THE CHAIRMAN: I look forward forward to having you stand up all day tomorrow too, and I thought by that time you might be tired.

A Thank you.

CROSS-EXAMINATION BY MR. FRERE:

Q Just a few questions, Mr. Martin, in explanation of some of the statements in your Brief. They may seem a little repetitious, but that is a little beside the point. On page 15 it is stated, "In the Metropolitan Area as a whole no machinery or organization has existed which might have ensured co-ordinated utilities and development planning. This has resulted in a complete lack of sewer and water facilities in the suburban areas because individually they have not had the resources to provide them." My question in that connection is, do you know that the Alberta Nitrogen Plant of the Consolidated Mining and Smelting Company has its own water and sewer

1. The first part of the report
describes the general situation
of the country.

2. The second part of the report
describes the situation in the
different regions of the country.
3. The third part of the report
describes the situation in the
different sectors of the economy.
4. The fourth part of the report
describes the situation in the
different sectors of the society.
5. The fifth part of the report
describes the situation in the
different sectors of the culture.

6. The sixth part of the report
describes the situation in the
different sectors of the environment.
7. The seventh part of the report
describes the situation in the
different sectors of the infrastructure.
8. The eighth part of the report
describes the situation in the
different sectors of the health care.
9. The ninth part of the report
describes the situation in the
different sectors of the education.
10. The tenth part of the report
describes the situation in the
different sectors of the science and technology.
11. The eleventh part of the report
describes the situation in the
different sectors of the sports and recreation.
12. The twelfth part of the report
describes the situation in the
different sectors of the arts and culture.

facilities?

A Yes, Mr. Chairman, I was aware of that. I was making a general statement here, and I was not going to pick out individuals, or individual corporations or firms.

Q So that as far as you know there would be no outlay required to extend sewage facilities to that plant?

A I would say, Mr. Chairman, it would be some time before the City could even contemplate extending sewage to that plant, on the basis of the present extent of its utility system.

Q As far as you know --

A As far as I know the City does not envisage extending any utility out to the plant.

Q And as far as you know there would be no capital outlay required for a water system to the plant?

A That is correct too, Mr. Chairman.

Q Then on Page 16 in paragraph (c) the last sentence, "Any organization of the Metropolitan Area which will have the effect of making its future development more compact will be reflected in lower per service costs of the electric light service." Am I right in assuming that this does not take into account the fact that industry in a suburban area might have its own negotiated contract rate for power which would not be affected by the development of the area?

A That is correct, Mr. Chairman.

Q Then further down on page 16, a similar statement regarding

natural gas. The last sentence in paragraph (c). "As with power, any co-ordination of metropolitan development will have the effect of reducing per service costs."

In that case also am I right in assuming that an industry may have, or may be served with natural gas under a rate schedule which would continue to apply irrespective of the nature of the Municipal Government under which the plant may be located?

A I think that brings up rather a large question, the question of utility rates. I don't think I am in a position to say that you would be guaranteed your rate in the future or you wouldn't be guaranteed your rate in the future, but I don't know whether this statement is in order too, that assume for a moment that an Order for annexation were issued; it might be possible for the Board of Public Utility Commissioners to issue an Order whereby you are granted the right to continue negotiating for your power on your own terms, rather than through getting it through the City's distribution.

Q Perhaps I might put the question in a slightly different way. It does not necessarily follow that by the co-ordination of Metropolitan development that the price being paid by an industry for natural gas would necessarily be lower merely because of the co-ordination of the Metropolitan development?

A No, sir.

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Q MR. BREDIN: Mr. Chairman, Mr. Strong, our Commissioner of Public Works will be here this afternoon, and these questions dealing with the matter of high policy are, I think he would be in a better position to answer Mr. Frere, if Mr. Frere would be happy to do that I would be pleased to ask Mr. Strong to come on the stand and answer questions dealing with that matter of civic policy.

MR. FRERE: Actually I am not too concerned about matters of policy at the moment, I just wanted to bring out wherever it appears in the Brief that there would be say a lowering of costs, or that services would be extended by the Metropolitan development, the fact that at our plant we have complete services. There are just one or two more questions along that line. For instance in paragraph (d) on page 16, "The City is the only Municipality in the Metropolitan Area with a complete water system, and is thus the only Municipality which gives complete protection." My question in that case is, do you know that the Alberta Nitrogran Plant has its own fire protection system?

A Yes, sir.

Q So there again insofar as you know, no outlay would be required by the Metropolitan Area to give adequate plant fire protection?

A That is correct, no outlay which would be directly intended to serve the Nitrogen Plant would be necessary.

Q Then again on page 17 in paragraph (f) it is stated, "As may be seen practically the entire area receiving transit service is served by the Calgary Transit System." In that instance do you know that part of the Metropolitan Area, consisting of the plant, is supplied with a bus service by the Monden Transportation System?

A That is correct, sir.

Q Now there is one question which possibly you may prefer to have Mr. Strong answer, and that is in connection with the statement on page 25, item 4, bottom of the page, where it says, "With the exception of the natural gas distribution system the city owns all the utilities, sewer, water and electric light and power (distribution franchise) in the Metropolitan Area and these utilities form the logical core for extension outwards;". Am I right in saying that this statement does not take into account the fact that certain industries, in particular our plant, may have its own utilities, or supply its own services?

A That is correct, sir. I was not explicit enough in number 4.

Q Well, this is a question which you may not care to answer; does the Planning Commission recommend that on amalgamation the City should take over from an industry the right to

1. Was the English language in 1800?

Yes, it was.
The English language was in 1800.

maintain, or contract for its own water, sewer and other services?

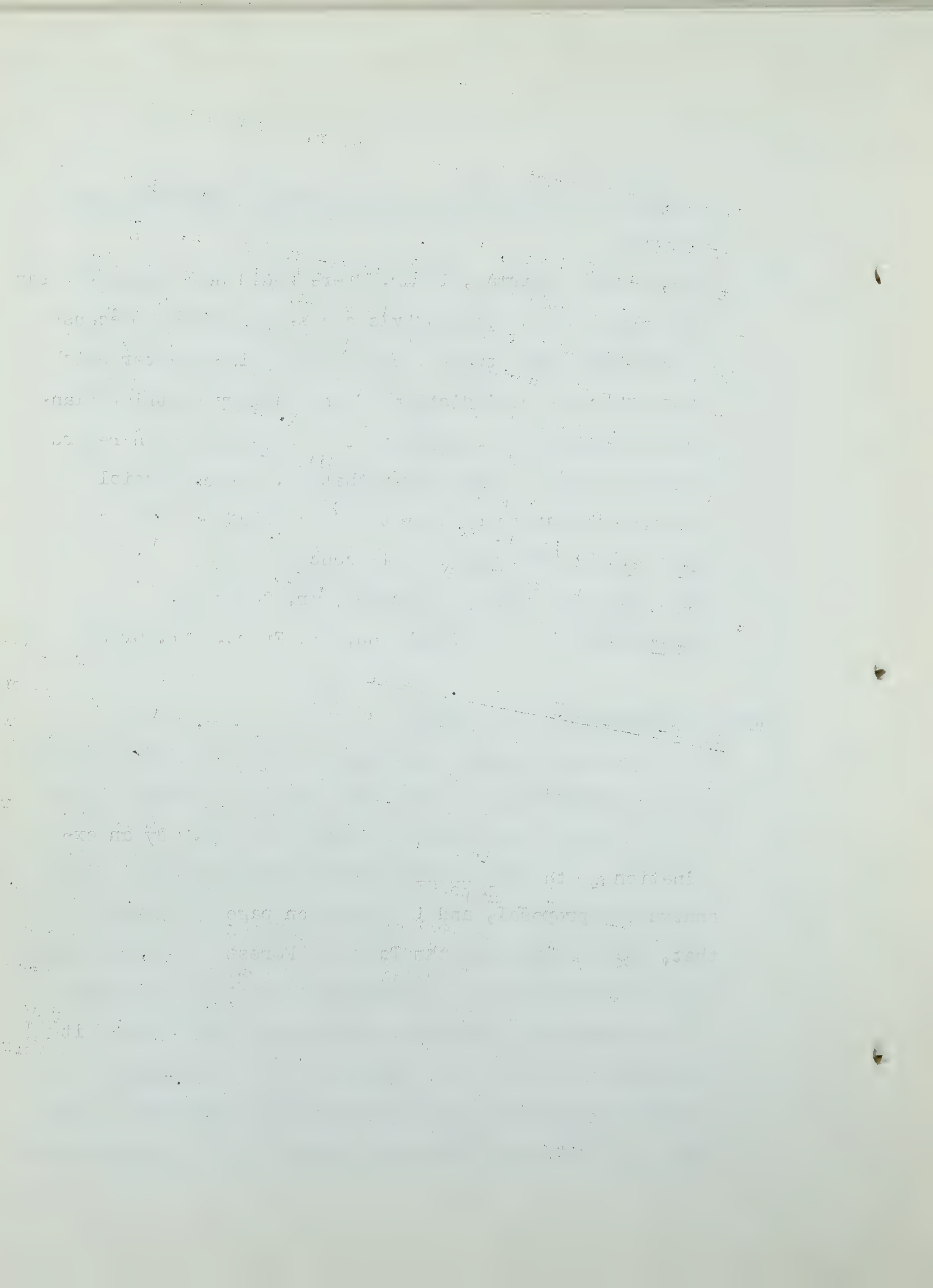
A I think, Mr. Chairman, if Mr. Frere would not mind deferring this question until the City's cross-examination, because in the first place this, I don't think, is a matter which comes under the jurisdiction of the Calgary District Planning Commission, and secondly it is a matter which refers to policy, and I would prefer that Mr. Strong possibly be examined on that point when the City Brief is under consideration, if Mr. Frere would concede that.

Q Yes. Those are all my questions, Mr. Chairman.

THE CHAIRMAN: Thank you, Mr. Frere. Mr. Crisp?

CROSS-EXAMINATION BY MR. CRISP:

Q Most of the conflicting opinions of the Town of Forest Lawn will be brought up in their Brief later, but there are one or two points we want clarified at this time. By an examination of the Map showing Forest Lawn's position on the annexation proposal, and it states on page 25 of the Brief that, "With respect to the Towns of Forest Lawn and Bowness, the Commission is not recommending annexation not because it is necessarily opposed to such a move, but because it feels that a decision on this point should be reached by the Royal Commission based on the submissions made by the City of Calgary and these two Towns." Now the worry at the



time is that should Area Number 7, which comprises the existing limits of Forest Lawn, be excluded from annexation, then they would also like protection for those areas north and south of the existing Township to allow the future development of Forest Lawn to be balanced, and as will be shown in the Brief, they are at the moment in sad need of industrial land, and should the City annex Area 5 and Area 6 then Area 7 would be literally boxed in, and there would be no real opportunity for them to expand and to encourage an industry into their area and balance their economy in that way. Could we have the assurance of the Planning authority that should such annexations take place there would not be that danger of Area No. 7 being left high and dry, so to speak?

A Well, Mr. Chairman, I don't think the Calgary District Planning Commission, being an advisory body, could give that assurance, it could not give it in the form of an assurance. I would like to suggest this, that if the ultimate solution is going to be not amalgamation but some other form of metropolitan organization, then I would agree with the statements made by Mr. Crisp that they should be given, or they should be allowed to annex land which would permit them to get a better balance in their land construction.

Q Thank you. The second item concerns low cost housing areas. Would it be the intention of the District Planning Commission

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and heard about in the past few years
are very different from what I have
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to set aside areas in the Forest Lawn Township for the specific purpose of accommodating low cost housing units?

Q I prefer not to answer that question at this time, Mr. Chairman, because it depends on a number of factors that are not clarified yet. I would say that once utilities had been installed in Forest Lawn then such a move would be quite feasible. I would like -- you are bringing out in your Brief on the Town, Mr. Crisp, that the Town has made application and received approval for a utility system?

Q Yes, that is correct, but at the stage before the Commission was closed we thought we would just like to get that item cleared. That is all the questions.

THE CHAIRMAN: Are there any other questions from the floor? Mr. Maveety, will you come around please.

EXAMINATION BY MR. MAVEETY:

Q Honourable members of the Commission, in the Brief put out by the Calgary District Planning Commission, on page 2 it makes the statement that the Commission is advisory to all its members, and on page 23 it reiterates the statement. Then when the City of Calgary is planning its roads and bridges, and so on, to build them into a certain area, and the outlying district or town that it is adjacent to has no knowledge of where they are going to or what. Then it goes on, on page 18 and they make the statement that

the City is an entity, that is its Planning Office is an entity unto itself, and it has, it gives no explanation and doesn't bring any evidence, plans, or commitments for future development into the Community Planning office for the consideration of the rest of the Planning District. Is that not so, Mr. Martin?

A Well, no, as a matter of fact it is not so, Mr. Chairman.

MR. BREDIN: Would you elaborate on that, Mr. Martin, please.

COMMISSIONER BLACKSTOCK: Could you comment further on it?

A The particular instance I am thinking about is the industrial development which is taking place in the south-east part of the City, and over which, until now, there has been very close collaboration between the City of Calgary and the Municipal District of Springbank.

THE CHAIRMAN: Perhaps I better point out, Mr. Martin, that you have to compete with the radiators, if you would speak a little louder.

A I would like to elaborate further in answer to Mr. Maveety's question, or statement that if general plan proposals affected both the Town of Forest Lawn and the City of Calgary then there would be discussion about the general plan proposal between the two Towns. I think it's a question of sorting out what are the distinct responsibilities of the Town and the City now, and what are joint respon-

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sibilities; say with respect to the building of a major thoroughfare or something of that nature. Something which directly affected the development of both Forest Lawn and the City of Calgary would be discussed with the Town of Forest Lawn just as the industrial development in Springbank was discussed with the Municipal District of Springbank.

Q MR. MAVEETY: Now in the case of, to bring out the point in question, the new Cushing Bridge, and there would be a road leading from there, I presume, either to Number 1, the old Number 1 Highway or the new Number 2. Now the new Number 2 has been drawn in a straight line down to the north boundary of Forest Lawn and left there as a four-lane highway, it just borders the north side of it on the west side. Nobody has told us where it's going, or what it intends to do next, just a four-lane highway, and we have heard some talk that the new Cushing Bridge will have a new road to connect it up to this new Number 2 road. It may do, or they may continue this Cushing Bridge to meet the old Number 1, and then use what roads they have to connect, we have no idea, but in any event they cannot help but border at least two blocks in the Town, or throw all that traffic in against our Town over the same old road. Now we have never had that question answered, where or what.

A Well, Mr. Chairman, in connection with that question, the planning of the route of the Number 2 highway was completely

the responsibility of the Provincial Highways Department, and the building of the Cushing Bridge, the replacement of the Cushing Bridge can only have the effect of benefiting, can only have a beneficial effect on the development of Forest Lawn inasmuch as it increases, or rather improves the circulation, the traffic circulation between the City and the Town of Forest Lawn, but with respect to the Number 2 highway, I don't think anyone is certain yet how it is going to connect up. I think that is a question which is still under consideration by the Provincial Highway engineers.

Q Yes, but your City is just across the road from our Town, and you will be building the road in the City possibly to connect with Number 2, there is that possibility, and run for two blocks in the Town of Forest Lawn.

A Well, it's in the Town of Forest Lawn for two blocks now, and as the City has had no say whether it went there or some place else, that is the point I am trying to make, that was decided by the Provincial Highways Department.

Q Well, what I am getting at is that the way the road is going to go, or is it going to connect up with the old Number 1?

A Oh, it will certainly connect up with the old Number 1, Mr. Maveety, but I don't think anyone knows, certainly I don't, just how the connection is going to be made.

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Q You won't turn around, there will be no question of connecting between the new Cushing Bridge and a short-cut over to the new Number 2?

A Oh, I wouldn't rule that possibility out, there may be a short-cut there, but it might not be, it might be a traffic interchange situation. What I am trying to point out is that we don't know, and I don't think the Provincial Government knows yet what the final situation is going to be, and if it's going to affect Forest Lawn, Forest Lawn will certainly be notified.

Q It certainly affects us, there is a two-lane highway right there against our cow trail.

MR. BREDIN: I think, Mr. Chairman, one of our problems, if I may interrupt Mr. Mayor Maveety, I think he has a very good point, if, as he says, it has been in the past ~~true~~ that Forest Lawn, and other Municipalities have not been consulted; part of the difficulty, particularly with bridges, lies in the jurisdiction of the Town Planning Commission and the City Engineer himself. Now the City Engineer feels that he has jurisdiction over the streets, and I suppose a matter of bridges falls within that category, and I think Mayor Maveety has a good point where an artery is going to affect his town. I think he has a very good point in suggesting that perhaps the Town of Forest Lawn ought to be in a large Regional Planning

set-up be consulted as to where a highway or a bridge is going to go, because his town may have ideas which will effect the traffic pattern, and it may very well be that there has not been sufficient co-operation. That may partly be due to the fact, not of Mr. Martin's Department, but of our City Engineering Department which probably does feel that there are these larger considerations. I just throw that point in.

THE CHAIRMAN: Mr. Bredin, does the District Planning Commission not embrace in its responsibilities the recommendations as regards to these highways, or main thoroughfares, or arteries?

MR. BREDIN: Well, I think perhaps that the planning has not had as much authority as it should, and perhaps the Engineering Departments have been a little too independent, if I may say so, in some of their work which is in fact Town Planning, and the fault is not with the Planning Commission, but in its lack of powers perhaps, and in my opinion, and I have been noticing it from our own level, there are concepts of planning which have been overruled by strictly engineering concepts, which I think it should be the other way around, while there are cost factors and other engineering factors, there should be a plan first and then the engineering work from there instead of the other way around, and I think that has been a part of the trouble of which Mayor Maveety complains. It is not the

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fault entirely of planning, if at all, it is more of our own municipal set-up in the City.

THE CHAIRMAN: I wondered if Mayor Maveety was speaking if the Town of Forest Lawn is a member of the District Planning Commission, and the Highways Branch of the Provincial Government responsible for Highway Number 2 was also on this Commission, why they couldn't maybe ask one another a question and perhaps get an answer.

MR. BREDIN: Yes, that aspect of it perhaps could be taken care of that way, but I was just taking it that Mayor Maveety was more concerned with the access routes to the highway itself, that is how the city will connect its arterial routes with the main highway, and I think there is a field of co-operation there that was lacking.

THE CHAIRMAN: Yes. I was merely reacting to what seems to be a situation, which doesn't seem to me necessary to exist.

MR. BREDIN: No. Well, in that case there should be liason right in the Board itself.

A Well, Mr. Chairman, I think I could elaborate further on that. We have a general plan for thoroughfare development, and it has on more than one occasion been discussed at District Planning Commission meetings, and the Town of Forest Lawn has membership, and when the Trans-Canada Highway became an issue on its route through the City, through the Town of Bowness and through the Municipal District of Springbank

I don't think anyone could suggest that it didn't receive sufficient discussion at District Planning Commission meetings, and once some sort of proposal is reached in connection with the Number 2 Highway it also will receive full discussion at the Calgary District Planning Commission meetings.

THE CHAIRMAN: I didn't hear you mention Forest Lawn when you were talking about the Trans-Canada Highway.

A Well, Forest Lawn was not directly affected, sir, by the Trans-Canada Highway.

THE CHAIRMAN: No. That's all right, but when Mr. Maveety is talking about the old Number 1, he is talking about a road that is in existence now, and has nothing to do with the Trans-Canada Highway.

A I know, sir, but I was just drawing in the other as illustration of the fact that there is some attempted coordination to the District Planning Commission.

THE CHAIRMAN: And unhappily, I was not aware of the route of the Trans-Canada highway until the Commission drew my attention to the fact that it is north of the Town of Forest Lawn. All right, excuse me for interrupting, Mr. Maveety.

MR. MAVEETY: Yes, sir.

Q The second point is in the Calgary District Planning Commission's brief by its own admission people in a sense were driven into fringe areas in 1910 and 1912 by means of a very heavy tax, and boom prices on land. Now, one of our

own Ministers, Mr. Gerhart, at a speech at a Convention one time, spoke about special areas, and it has been considered by the Community Planning Association of Canada, and it is being used in a sense in different parts of North America, now if the City with their regulations expand out into this wide metropolitan area, is there still going to be any room for consideration of these piano box love nests, as Mr. Gerhart very adeptly put it, or will them people just be froze out.

THE CHAIRMAN: I am afraid that is what we were at all morning here, or most of the morning.

MR. HAYES: We didn't get that expression though.

THE CHAIRMAN: No, that's true, we didn't get that very intriguing description, but we didn't get the answer, Mr. Maveety, this morning, as you know very well because you were here.

COMMISSIONER DAVIES: That is without the piano, and now would you answer it, please, Mr. Martin, that is without the piano when you answer this question.

A That is a matter which has been discussed at Commission Meetings, Mr. Chairman, and I think I would agree with it, that we should have areas, I wouldn't call them love nests without pianos, as Mr. Davies suggests, but I think there is room for establishing areas in the comprehensive zoning for the metropolitan area for dwellings which are

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considerably cheaper than dwellings which can probably be afforded by a wider range of people with smaller incomes, but I think I would disagree in saying that they should also be put into one place. I think they should probably form part of a general zoning scheme so that they form part of a neighborhood rather than all go into one place.

MR. MAVEETY: Thank you.

THE CHAIRMAN: Thank you, sir. Well, I am much embarrassed, Mr. Martin, by your continually coming back to what is, I think, the number one problem in this regard, that is suitable housing and places of residence must be found for these people?

A That is right.

THE CHAIRMAN: You quite frankly have said there are several possible answers, you don't know which is the one which ought ultimately to prevail. I think that is probably the situation with all of us. Now, are there other questions from the floor?

DR. MAYO: Sir, may I make an inquiry first, I am not quite sure of whom I should ask these questions, perhaps they were dealt with yesterday, it is the argument for this suggested taking in of this large area around the City.

COMMISSIONER DAVIES: I intended to ask some questions about that, Dr. Mayo.

DR. MAYO: Who is the person to whom they should be addressed, is it cross-examination on the City

brief?

A On either brief, it would be all right to direct those questions to me now, Mr. Chairman.

THE CHAIRMAN: Well, perhaps, do you want to ask them or wait until Mr. Davies is through, whichever you wish?

DR. MAYO: It doesn't matter, Mr. Davies can go ahead with that.

THE CHAIRMAN: Yes, and if there is anything uncovered, you can bring it to our attention. All right, Mr. Davies.

EXAMINATION BY COMMISSIONER DAVIES:

Q Mr. Martin, looking at the record, I don't see that we have on it your qualifications. I wonder if you would establish your qualifications so we know more about you and your qualifications in the field in which you are giving evidence. You have two degrees here. Would you tell us something about your qualifications as a planner and otherwise?

A Well, I have a degree of Bachelor of Architecture, following which I took graduate work at the University of Manitoba in City Planning, and took my Masters Degree, Master of Architecture in Community Planning in 1950, and I am a member of the, a professional member of the Town Planning Institute of Canada. I have been employed by the City of Calgary in a Town Planning capacity for four and a half

years.

Q Thank you.

THE CHAIRMAN: And was your first degree from the University of Manitoba?

A That is correct, sir.

Q COMMISSIONER DAVIES: Now, with respect to the area that it is proposed should be annexed within the boundaries of the City of Calgary as set out in the plan, appearing at the end of Exhibit number, the exhibit of the Calgary District Planning Commission, as I understand it, the total area of the City of Calgary at the end of 1951 was 40.1 miles, square miles, is that correct?

A That is correct, sir.

Q That is at the end of 1951, and then can you tell the Commission what was added in the way of acreage since 1951 to the area of the City of Calgary, either in acreage or square miles?

A The Meadow, comprising 160 acres was annexed, I believe, effective January 1st, 1952, and effective December 30th, 1953, a total of $6\frac{1}{2}$ square miles, plus 550 acres was annexed that would be 7, -- $6\frac{1}{2}$ square miles along the north of the City was annexed, and then on a further annexation which will become effective at the end of this year, a total of about $2\frac{3}{4}$ square miles will be annexed through an order which has already been issued by the Board of Public

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Utility Commissioners.

THE CHAIRMAN: Making a total as of now, or at least as of January 1st 48, 49?

A In the vicinity of 49 square miles, in the neighborhood of 49 square miles.

THE CHAIRMAN: In the neighborhood of 49 square miles.

Q COMMISSIONER DAVIES: Did I understand you correctly when you referred to an area of 550 acres plus $6\frac{1}{2}$ square miles?

A Yes, but Mr. Bredin informs me that the 550 acres is subject to the annexation which will become effective at the end of this year, rather than the annexation of the $6\frac{1}{2}$ square miles which became effective a year ago.

Q So then, do we still have to add the 550 acres on them?

MR. BREDIN: The confusion there, sir, arises from the fact that we have two orders of the Board, one is retroactive to December 30th, 1953, and the other becomes effective on December 30th, 1954, and the 550 acres becomes effective December 30th, 1954 rather than part of the other order, part of the $6\frac{1}{2}$ which is effective December 30th, 1953.

Q COMMISSIONER DAVIES: Well then, Mr. Martin, can I sum it up this way, that since the end of December, 1951, the total area of the City was 40.1 square miles, that there has been added, or will be added by orders effective to the

end of 1954. First, 160 acres, and another area of 550 acres, plus an area of $6\frac{1}{2}$ square miles, plus an area of $2\frac{3}{4}$ square miles?

A That is correct.

Q Well, I beg your pardon, sir, if the 550 acres is considered separately from the two square miles, it should be two square miles and 550 acres rather than $2\frac{3}{4}$ square miles, because three-quarters of a square mile is a rough estimate of the 550 acres. Very well, that makes then a total area of the city, effective area at the end of 1954 at 40.1 square miles plus $8\frac{1}{2}$ square miles, plus 160 acres, plus 550 acres?

A Correct.

Q Which is around 50 square miles, or a little more?

A Yes.

Q Now then, Mr. Martin, can you tell the Commission what additional area it is proposed to annex to the City if this plan appearing at the end of the District Planning Commission's exhibit were followed? I would prefer to have it in square miles or some denominator which can be converted to square miles?

A I think it is in the neighborhood of 59 square miles, Mr. Chairman, 59.

Q THE CHAIRMAN: That is the total?

A No, sir, that is additional.

Q THE CHAIRMAN: Added?

A Adding 59 square miles.

Q COMMISSIONER DAVIES: As I understand it there is $19\frac{1}{2}$ square miles alone in this area to the south of the City?

A That is west of the Bow River.

Q Yes?

A Bounded on a line, the figure 3 is exactly on the line on the south boundary of Division 1, and bounded on the west side by the Sarcee Indian Reservation.

Q Well, then, am I correct now then in assuming that before this proposal for the enlargement of the boundaries through amalgamation, the situation roughly is that the total area at the end of 1954 within the boundaries of the City of Calgary will be around 50 square miles, and it is proposed in this proposal here to add another 59 square miles to the City of Calgary?

A That is correct, sir.

Q Which would give the City of Calgary a total area, if acceded to of 100, roughly speaking 108 square miles?

A Yes, sir.

Q Could I ask you, Mr. Martin, is the City actuated in making the proposal to annex a further area now that more than exceeds its total existing area, could I ask you, has the City been actuated in making this proposal more by a desire of thinking that all that area was needed for foreseeable expansion within the realm of the future that one could

1. The first part of the document is a letter from the Secretary of the State to the President, dated January 1, 1900. It contains a report on the progress of the work of the Department of the Interior during the year 1899. The letter is signed by the Secretary, and is addressed to the President.

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reasonably foresee, or is the City of Calgary asking for this tremendous expansion of its boundaries so that it could directly control development within that area?

A I wonder if Mr. Commissioner, if Commissioner Davies would mind repeating those again.

Q Well, what I am getting at, in short, is this; has the city got in mind that it sees a real need for the use of this land for industry and commercial purposes, and dwellings, and parks, within the foreseeable future within its plans, is that why it wants this additional 59 square miles; or is it largely with the thought behind that this would be the best way to control this total area which might affect the development of our cities?

A Well, I think it is actually a combination of both, Mr. Chairman, although the former being predominant, the former being predominant.

Q That is that the city could foresee within the reasonable future that it would need these lands for industrial, commercial, and park, and residential purposes?

A That is correct, sir. It must be borne in mind that a large part of this area that the application for, or rather the recommendation for amalgamation is stated in the brief, would not be built up as actual land, as residential land, but particularly in the southeast larger tracts were suggested for amalgamation for the establishment of large industries, and the city, in its submission takes this view, that the city should comprise a densely built-up urban area,

but it should also comprise urban areas which are almost always associated with cities, and should also take in the areas around the city which could normally be expected to become occupied by large industries, and it was almost entirely on the basis of that thinking that this large area was suggested. I might say, Mr. Chairman, that the large area was suggested on the basis of reports submitted by many of the City Departments, by practically all of the City Departments, including the City Engineer and the Industrial co-ordinator, and I think a very good question which Commissioner Davies raised is why, he didn't say explicitly, but perhaps he implied it, is why go beyond the existing boundary of Division 1 to the south -- or were you going to question that point, Commissioner Davies?

Q Well, I was going to come to that, and just say this, at first blush, Mr. Martin, this is a very substantial proposal that Calgary should want to expand its actual city borders for a distance of 6 miles south of its existing southern boundary, when if we look at the existing south boundary, the City is not actually built northwards for any more than $5\frac{1}{2}$ miles north from the extreme south boundary?

A Well, of course the chief reason for that is that future development of the city will find its line of least resistance towards the south, and it just happens that also coincides with what we consider will be the best structure

for the city in the future.

Q You would concede, Mr. Martin, would you, that this is an entirely new concept of the city boundaries that you are advancing?

A Yes, I will concede, that Mr. Commissioner.

Q And a very violent departure from the past, a very substantial departure from the past, where you have been annexing piece-meal?

A Yes, it is a violent departure from the piece-meal annexation, but I think further difficulties are encountered when you try piece-meal, and shall we say gradual or progressive annexation as required. I think we considered very carefully the difficulties. One of the difficulties is by annexing such a large area we are taking some assessment away from the rural municipalities. I don't think you are creating a hardship on the inhabitants who live in what are largely rural areas if their taxation could be kept at a level which is pretty well consistent with what they are paying to their Municipal Districts, but it is a different concept from probably small annexation which has taken place in the past. As an example, let's take Division 1 and apply to that what might be called progressive annexation, because it is almost certain, it is certain that in the growth of the city, a large part of Division 1 in the very near future, within five or six years, will be occupied by urban development, but assume that we apply progressive annexa-

tion to that; Division 1 now is a self-sustaining school district, and say we annexed for the next three years what you require for three years' development, well, in the process of doing so you would truncate the School Division, and also truncate its assessment base, and you would be disturbing a complete situation there, you would have to make readjustments for the educational picture if you did something of that nature, and I think that may be, that reasoning could be carried through right down the line. From the engineering point of view the line we have drawn here is quite logical because the whole area which is defined to the south of the city is a natural service area from the point of view of drainage for the sewer systems, and if you go to within one mile of Fish Creek, Fish Creek is a boundary to the south which would form the natural obstacle to further extension southward of a sewer system based on a sewage disposal plant which we are planning when we develop southward to Fish Creek. That is the other consideration for taking in an area so far to the south.

Q Could you tell the Commission now, Mr. Martin, what total population you would anticipate that these enlarged boundaries would support?

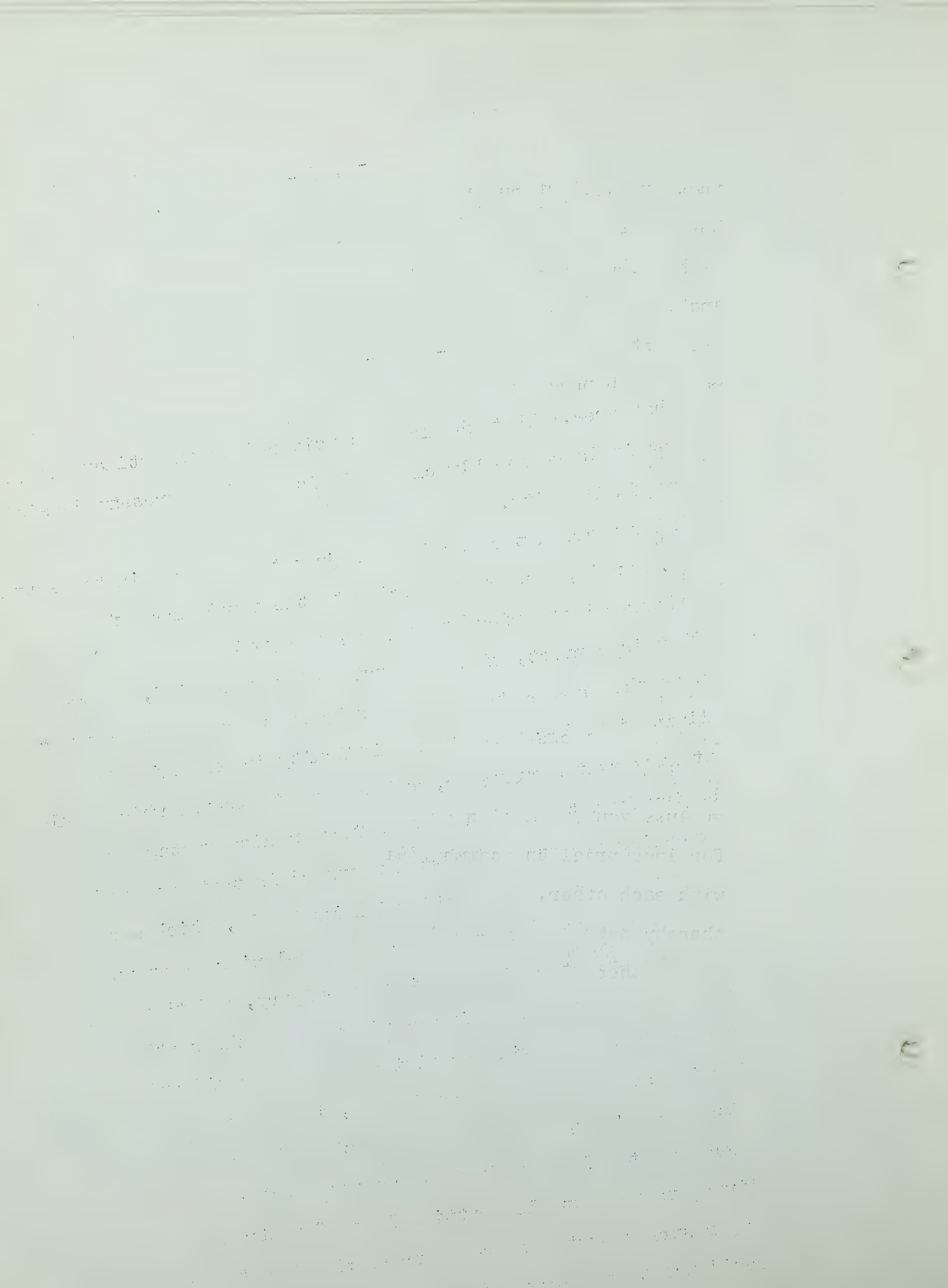
A Well, the calculations which we worked out, we took quick estimates of what would be industrial land and what would be commercial land and what would be residential land, and the ultimate figure on population is 380 odd thousand in

that area. That should be considered as an estimate only, but it is reasonably close, it is based on present densities within the city.

Q And you are not referring now just to the area in the south, Mr. Martin, you are referring to the total area of the enlarged boundaries at 380,000, are you?

A That is correct, sir. It must be borne in mind, however, that the area on the west is subject to some rather severe limitations because of the difficulty in extending the utility system westward, and the great expense which would be involved to do that, and a further disadvantage of extending the utility system westward is that you would be making provision for residential land only, which would tend further to offset what is already developing as an unbalanced land use structure in the City of Calgary, and that is the chief reason for proposing development to the south, because you are making provision both for residential and for industrial and commercial land, in good relationship with each other, having balance with each other, and thereby not only make it more convenient for the people living there, but also putting less of a strain on your major street system to get your people from the place of residence to the place where they actually are going to work in the future.

Q Now, I want, if I may, Mr. Martin, to take you in a sketchy way through the existing Town and Rural Planning Act.



First, if we refer to Part 1, Section 5.

A I don't appear to have my copy with me, Mr. Davies. Thank you, sir.

Q Section 5 is the section that provides for the setting up of the Provincial Planning Advisory Board, and then Section 7 is the section that sets out what its powers are, and I wish to refer you to Section 7, sub-section b. "The Board shall herein decide appeals in all case where, by viture of any bylaw passed by any council under the provisions of this act, the Provincial Planning Advisory Board is assigned such duties." Would you tell the Commission what knowledge you have of any appeals from this area that have gone to the Provincial Planning Advisory Board, and what they have been about?

A That is from the area -- I am sorry -- from the area outside of the City of Calgary?

Q Firstly, do you know of any that have gone to that Board from any members of the Calgary District Planning Commission other than the City of Calgary?

A No, sir.

Q None?

A None.

Q No requests?

A I believe there were one or two applications for subdivisions which were appealed, which were refused by the Calgary District Planning Commission and which were appealed to the

Provincial Planning Advisory Board. Are you referring specifically to the area to the south, or --

Q No, I am referring to any appeals to this Provincial Planning Advisory Board from members of the District Planning Commission from their business, but not including business arising out of the City of Calgary itself being a member of that Commission?

A I can recall two; one in connection by the applicant, an appeal launched by the applicant to the Provincial Planning Advisory Board, the Cinema Park Drive-In Theatre, west of the City, and the Standard Gravel and Surfacing Plant immediately north of the Cinema Park Theatre, I believe also became the subject of an appeal to the Provincial Planning Advisory Board.

Q Let's take the first case; was that first appeal one because the local authority had turned down the application to establish a drive-in theatre at that particular location?

A I would like to have recourse to the file, Mr. Chairman. I can only assume that it must have been, he must have been refused to have launched the appeal to the Provincial Planning Board.

Q Might I make this suggestion to you, Mr. Martin, this Commission will, as you know, have before it the consideration of any amendment or revisions to this Act, and already this morning Mr. Blackstock referred to the question of appeals, and as a member of the Commission I

am interested in knowing how many appeals arise, what they arise about and what happens when they go to the Town and Rural Planning Board. Would it be possible for you to look back on your files and perhaps prepare a memorandum for us in that respect?

A Oh, yes, quite possible, sir.

Q And perhaps let us have it this week?

A Yes, we can do that this week.

Q Are you in a position to make any observations about to what extent the Provincial Planning Advisory Board has been appealed to arising out of appeals within the City of Calgary?

A A considerable number of times, arising both as objections from people who were opposed to any proposed development, and arising from applicants who were refused development by the Technical Planning Board of the City, and by the Appeal Board. I would not like to commit myself as to the exact number. The last one though, had to do with the establishment of the International Harvester Company on a tract of land on the Macleod Trail just near the southern limits of the city.

THE CHAIRMAN: Then, since Commissioner Davies will have some other questions, we will take a recess until seven or eight minutes after 3.

(Adjournment)

Q COMMISSIONER DAVIES: Well, then, Mr. Martin, subject to what you mention about giving us some sort of a memorandum on the question of what appeals had gone, I would like to pass on to Section 10 of the Act, under the heading District Planning Commission. Sections 10 to 14, both inclusive, deal with the setting up of the District Planning Commission, under which sections the Calgary Commission has its authority, and set out its powers and what it should do, and I want to pause here for a moment to just clarify the representations of the Commission in this area. Now, that is covered by special Order in Council, which is in effect, the Constitution of the Calgary District Planning Commission. Do you know what I am referring to, Mr. Martin?

A Yes, sir.

Q And the Calgary District Planning Commission was originally set up by Order in Council passed on July 12th, 1951?

A Yes, sir.

Q And then there have been certain other orders passed since that date which have amended the basis of contribution of the membership and added certain other members, and lastly adding the Village of Cochrane as a member?

A With the full subsequent addition, Mr. Chairman, of the Municipal District of Foothills.

Q Of part of Foothills Municipal District. Now, I wonder if before I deal with the sections of the Act in relation to your Commission, if you could outline to the Commission

approximately how many miles out from Calgary in different directions the Calgary District Planning Commission now has jurisdiction, could you give us that picture, let's take south, how many miles south?

A Well, with the addition of the Municipal District of Foothills, previously, of course, it was the southern boundary of Division 1 of the Municipal District of Springbank, but with the addition of the Foothills Municipality, I believe it is now in the vicinity of the Town of Nanton, 42 miles.

Q 42 miles, so that southwards it actually includes the rural area surrounding Okotoks and High River?

A That is correct, sir.

Q But does not include any membership from the Town of High River or from the Town or Village of Okotoks?

A That is correct, sir.

Q Has there been any consideration given to whether or not those two municipal groups should be invited into the Commission?

A That is, there has, sir, and I believe definite approaches are going to be made to the Towns in the Municipal Districts which might be affected, particularly on their borders by development which is generally associated with proximity to towns and urban centres generally. There is one difficulty, however, and that is on the scale of contribution to the planning which might be made by any of

these individual towns because the staff itself would have to be considerably enlarged to look after the affairs of the individual towns since the number of developments in a town always far surpasses the number of developments in the rural part of it. For instance, in our experience, we have found in the Calgary District Planning Commission that the great majority of applications are made in the immediate proximity to the City of Calgary.

Q Of course you settled that so far in your Commission by the provisions that the Province contributed 50% of the cost, and the City of Calgary absorbs 25% of the costs, and then the other 25% of the total cost was distributed by the Commission members themselves in accordance with an amicable agreement?

A That is correct.

Q That is how it stands at present?

A That's how it stands at present.

Q Well then, would you mind telling us roughly speaking how far west of Calgary your District Planning Commission boundary would go in terms of miles?

A Well, presently it is established at the western boundary of the Local Improvement District which happens to coincide with the gates to Banff.

Q And then to the North?

A It is presently the Northern boundary of the Municipal District of Conrich, and with the establishment of the new

larger Municipal District, if it goes through at the end of the year, and providing they will have membership in the Calgary Planning Commission, it will be established just south, or just north, I don't know which, of Crossfield, but I believe the map, I have seen it in the rules.

MR. CRISP: It is south of Crossfield, about 17 miles north of the City.

A 17.

MR. CRISP: Just about 17 miles north of the city.

A I have that map here. I was referring to the, this map, Mr. Davies, this would represent the large municipality to the north of the City, and Conrich, if that is going to be the name of it, and Foothills would be the municipality to the south, which has its boundary approximately 42 miles to the south of the city.

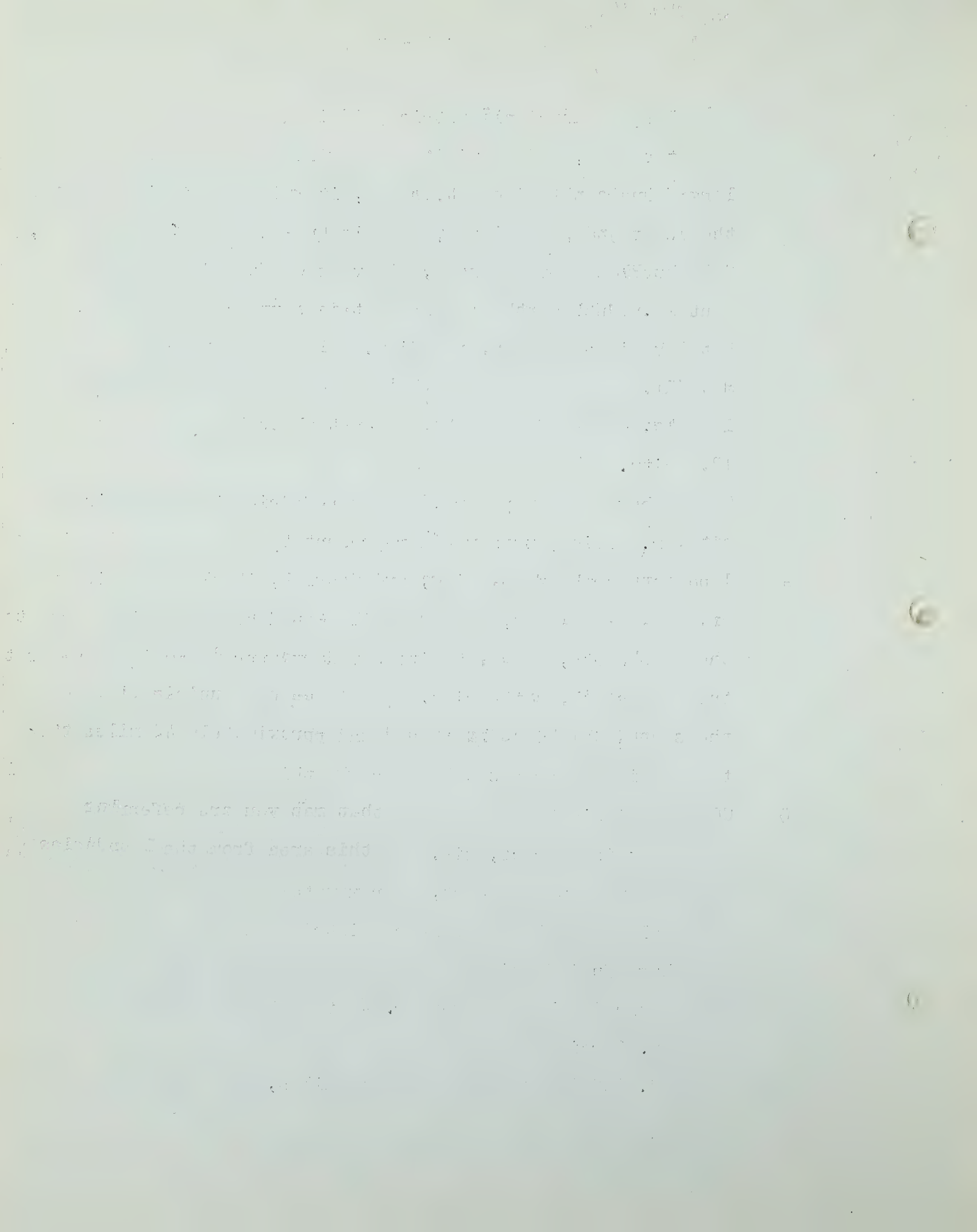
Q COMMISSIONER DAVIES: And that map you are referring to is the proposed boundary in this area from the Boundaries Commission?

A That is correct, sir.

Q And then to the east, approximately how many miles east of Calgary would the Calgary District Planning Commission have jurisdiction?

A Could I ask Mr. Gardiner. What is the present boundary, Mr. Gardiner?

MR. GARDINER: 16 miles, sir.



A 16 miles east.

Q COMMISSIONER DAVIES: Why I am asking you these questions, Mr. Martin, is because there is some suggestion been made in the north that with certain modifications the present District Planning Commissions might be re-constituted to form a satisfactory Regional Planning Commission for these areas. Would you anticipate that if the recommendations of the Boundaries Commission are put into effect that it would be likely that invitations would be extended to the towns and village that would then be encompassed within the area of the District Planning Commission, to have membership on the District Planning Commission?

A If the Commission remained established after the solution which might be handed down by the Government following the recommendations of the Royal Commission, then we would certainly initiate such a move if we can see that a satisfactory financial arrangement could be worked out, because as I mentioned earlier, it would be necessary to enlarge the staff considerably to give these towns adequate attention, particularly the Town of High River, and the village of Okotoks, and places of that kind which are on the highway, and certainly I would deem it essential that the towns take part in a regional planning scheme because it seems fairly certain that any development outside of the metropolitan area within the region might take place adjacent to an established town, and for that reason I think

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it would be extremely essential that the towns have representation on the Commission, and have access to technical advice from the Planning staff.

Q As I understand it, under the Constitution that was laid down for the Calgary District Planning Commission, the Calgary District Planning Commission uses the technical staff within the City Planner's Department of the City of Calgary, is that right?

A The staff, having internal financing of the City Planning Department, and the Calgary District Planning Commission, appropriations are made in the City Planning Budget to finance the city's share of the Calgary District Planning Commission operations, the other contributions are paid in by the Province and the other subscribing municipalities, and from that total contribution made to the Calgary District Planning Commission operations, a certain amount is set aside for the appointment of staff. That staff works in the office of the Planning Department under my direction at the present time, and the Department is so organized that the efforts of the staff are pooled to look after the city planning interests and after the Metropolitan Planning interests.

Q I just wanted to get the picture here, because it is different from Edmonton, where they have a District Planning Commission, but they have a completely separate office and a completely separate staff. Now, could we pass

on to Section 14, sub-section (g) of the Act. It says in Section 14, sub-section (g), a commission, that is a district commission, may (g) "Exercise such rights and powers and perform such duties as may be vested in it by the Lieutenant-Governor in Council or delegated to it by a council of a municipality represented on the Commission." Would you mind, Mr. Martin, telling the Commission, to what extent have the different members of the Calgary District Planning Commission constituted to that Commission their authority through delegation, and let's start first with Bowness, has Bowness exercised this right to delegate to your Calgary District Planning Commission, certain duties that otherwise it could itself exercise?

A Well, I think as a town, the town exercised the approval, or disapproval of plans of sub-division, but the Calgary District Planning Commission has been made the approval authority for plans of sub-division over which it has jurisdiction, excepting to the area of the City of Calgary, over which the Technical Planning Board of that City is the approving authority. Well, I think one or two of the municipalities have used the Calgary District Planning Commission as an Appeal Board to hear appeals from their local Development Boards.

Q Well, I am not sure that I am just clear on this now. Let's take in connection with zoning bylaws; would you just deal with zoning bylaws and not deal with the City

of Calgary itself, deal with the balance of your membership and tell the Commission to what extent the membership of the Commission has delegated their authorities in that respect to the Calgary District Planning Commission?

A For the preparation of the zoning plan in each case. . .

Q Including Bowness?

I don't think they have delegated the authority, in any case the authority is advisory in every case. I don't think executive authority has been granted from any municipality with membership in the Commission, through the Calgary District Planning Commission.

Q Well, don't you interpret this section to mean that it would be competent for a local council to delegate certain powers to the Calgary District Planning Commission, and constitute the Calgary District Planning Commission its authority if it saw fit to do?

A Oh, quite, sir.

Q Well, what I really want to know is who has done that and who hasn't?

A No one has done that, sir, none of the individual councils have done that in the Calgary District Planning Commission, except insofar as the Calgary District Planning Commission prepares zoning plans for them, for their adoption, but the Calgary District Planning Commission is not the final enforcer of that.

Q In other words, the situation is that there is no

municipal authority which is a member of the Calgary District Planning Commission that has seen fit to delegate to the Calgary District Planning Commission this authority that could be delegated under this section?

A That is correct, sir, there is none.

Q And would I be correct in assuming that the reason that they don't do that is because the local council wishes to completely control what is done?

A I don't know if that is the entire reason, Mr. Chairman. I believe it is possibly just a question of the matter not having been explored before to see whether the concurrence could be obtained from one or more of the councils for such a move to be made.

Q I would assume that under that sub-section (g), for example, Mr. Martin, that if Bowness or Forest Lawn, for example, wished to constitute the Calgary District Planning Commission as the authority for issuing building permits, and for dealing with the enforcement of zoning bylaws, and so on that it would be competent under the Act for Bowness and Forest Lawn to do that. Would you interpret it that way?

A Oh quite, sir, that's the way I would interpret that section.

Q But in practice it has worked out that none of them have done it?

A That is correct, sir.

Q Nor has Springbank or Conrich?

A That is correct, sir.

Q Is it surprising to you that a rural municipality that doesn't have a lot of development has not taken advantage of that section?

A Well, perhaps it has not been too applicable in this area, Mr. Chairman, because with respect to building inspection, another method has been worked out, sponsored by the Calgary District Planning Commission, but not operated by the Commission for building inspection to be made, and there is now a method whereby the resources of the different municipalities are pooled to pay a single building inspector to do the inspection.

Q Do you think it would lead to greater uniformity if that section had been taken advantage of?

A Yes, sir, it certainly would, and I make that point in my brief, that if responsibilities of the planning authorities, sorry, not if, but responsibilities would be to one body only, and any individual municipality within the group wishing to appeal any decisions of the planning authority should have the right to appeal to an independent Board, rather than have the right of refusing any part of a plan resting in the hands of the individual councils comprising the planning area.

Q Are you acting as an appellant authority now for any councils at all, your district, Calgary District Planning

Mr. J. B. Sprinkles

St. Louis, Mo.

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 10th inst.

and in reply to inform you that the same has been forwarded to the proper authorities.

I am, Sir, very respectfully,

Yours very truly,

J. B. Sprinkles

St. Louis, Mo.

Enclosed for you are the following documents:

1. A copy of the report of the committee on the subject of the proposed amendment to the constitution of the State of Missouri.

2. A copy of the report of the committee on the subject of the proposed amendment to the constitution of the State of Missouri.

3. A copy of the report of the committee on the subject of the proposed amendment to the constitution of the State of Missouri.

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20. A copy of the report of the committee on the subject of the proposed amendment to the constitution of the State of Missouri.

Commission?

A Do we not for the Municipal District of Springbank?

MR. SMITH: No, only for the Local Improvement District.

A Only for the Local Improvement District.

MR. SMITH: There is no council order.

Q COMMISSIONER DAVIES: Would you turn over your Act, Mr. Martin, to Section 64, dealing with general plans. I would like to quote Section 4, sub-section 1,

"The Council, by resolution, may authorize the preparation of a statement which shall be known as a general plan, setting out the manner in which the council considers the development of the municipality should be carried out within a defined period of time, having regard to considerations of orderliness, economy and convenience, and setting out the means and steps necessary to ensure or to effect that manner of development."

and then sub-section 2,

"By the Resolution authorizing the preparation of a general plan, the Council shall authorize the carrying out of such investigations, surveys and research, and the preparation of such a report as may be necessary for the purpose of preparing the general plan."

Would you mind taking the individual members of your Commission

1. The first part of the report deals with the general situation of the country and the progress of the work during the year.

2. The second part of the report deals with the results of the work done during the year.

3. The third part of the report deals with the financial position of the organization.

4. The fourth part of the report deals with the personnel of the organization.

5. The fifth part of the report deals with the future plans of the organization.

6. The sixth part of the report deals with the conclusions of the report.

7. The seventh part of the report deals with the recommendations of the report.

8. The eighth part of the report deals with the appendixes of the report.

9. The ninth part of the report deals with the bibliography of the report.

10. The tenth part of the report deals with the index of the report.

of your Calgary District Planning Commission by name and .
telling this Commission which of your membership have
passed a resolution authorizing the preparation of a
general plan within the meaning of Section 64 of the Act?

A The Municipal District of Springbank Number 45, Municipal
District of Conrich Number 44, The Town of Forest Lawn,
the Village of Cochrane, the Municipal District of Foot-
hills Number 21, and Local Improvement Number 46.

MR. BROWN: And Bowness?

A No, I don't think Bowness --

MR. BROWN: Yes.

A Have you passed a resolution authorizing --

MR. MACKINTOSH: Yes, that was passed a very
considerable time ago.

A Then all the contributing members have passed such a
resolution, Mr. Chairman.

Q COMMISSIONER DAVIES: I see. And would it be right
for this Commission to assume that copies of all these
resolutions have been filed with the Calgary District
Planning Commission?

A That is correct, sir.

Q So that you know the general plan of each of these areas?

A Well, copies of the general plans insofar as it has been --

Q Statement?

A A statement of the general plans insofar as it has been
completed, maps and reports in connection therewith are on

file with the Calgary District Planning Commission.

Q Can you tell this Commission what is being done to effectively take steps so a general plan for each of these areas will be formulated?

A Some of the individual steps which are being taken are the reservation through sub-divisions of additional width along the streets, which are designated on the general metropolitan plan as being major thoroughfares.

Q If we pass on to Section 67 of the Act, it reads as follows:

" The general plan shall contain such documents, descriptive matter and maps as may be necessary to illustrate the manner of development as proposed by the general plan."

And then Section 68, sub-section 1,

" A general plan may be adopted by a bylaw passed under Section 84."

And then sub-section 2,

" When a general plan has been adopted by a bylaw and approved by the Minister, the council shall not commence any undertaking within the purview of the general plan and in any manner inconsistent with or at variance with the general plan."

Could you tell the Commission if any of these statements as to intent to formulate a plan has reached a stage yet where a bylaw has been passed adopting a general plan as anticipated by Section 64?

A No, sir.

Q And would you mind outlining the situation in the City of Calgary itself, in that respect?

A Yes, sir. The situation in the City of Calgary is this, that most of the parts of the general plan has been including the statements which accompany the general plan and the maps have been completely, and many parts of the general plan, that is the new zoning bylaw, and the major thoroughfare bylaw, which would take into account the major thoroughfares of the City of Calgary, are, will be, we expect, brought before Council at the beginning of the New Year, or very shortly thereafter.

Q Could you give the Commission any indication as to when in respect to other than the City of Calgary, it would be anticipated that general plans might be ready for submission in the form of bylaw to their respective Council?

A That would be a rather hard prediction to make, Mr. Chairman, because so much of the work of the Commission has, due to the very rapid post-war expansion, been occupied with current development taking place in the area, and much of the office time has been occupied by investigating individual situations and trying to relate these to the effective general plan which has been worked out, and make a decision on the best possible basis which was available at the time.

Q Then, I want to refer you to Section 69 under the heading

of Interim Development Control.

"The Council, at any time, after passing a resolution authorizing the preparation of a general plan, may make application to the Minister for authority to exercise control over development which takes place in the municipality or part thereof, prior to

(a) the completion and adoption of the general plan,
and

(b) the passage of a zoning bylaw prepared in accordance with the general plan."

And sub-section 2,

"Control shall be exercised over the development within the municipality by the Council on the basis of the merits of each individual application for permission to develop, having regard to the proposed development, conforming with the general plan being prepared."

Would you concede, Mr. Martin, that it is very highly desirable that once the Council has passed a resolution under Section 64, saying that it authorizes the preparation of a statement which shall be known as a general plan, would you concede that it is very highly desirable and in the interest of the public that the general plan should be proceeded with and prepared as rapidly as possible?

A Yes, sir.

Q And that it should not be dragged over a long period of

years?

A It all depends in what detail you are considering the general plan, Mr. Chairman, in my opinion. I think a general statement, a generalized statement of the general plan should be made very very early, very early on, and subsequent planning in detail might go on over a period of years, even under the interim development control, but a general statement should be made both for the benefit of the people who live in the area, and for the benefit of the people administering the plan, and function to act as a guidance for the people developing and the people trying to direct the development into what they conceive is orderly channels.

Q Could you tell me, Mr. Martin, if I am right in assuming that all of the members of your District, Calgary District Planning Commission, having passed a resolution in accordance with Section 64 authorizing of the formulation of a general plan, could you tell me if I am correct in assuming that they all applied to the Minister for authority to exercise control over development under an interim development order?

A All except the Town of Bowness, Mr. Chairman.

Q So that all except the Town of Bowness have got authority to exercise interim development control?

A That is correct, sir.

Q And that means in turn I presume, that each of them have an interim development bylaw?

A That is correct, sir.

Q Well, isn't it awkward for Bowness to be in the position that it has passed a resolution authorizing the formulation of a general plan, but hasn't got an order permitting interim development control?

A I don't think Bowness applied for an order authorizing interim development control.

MR. BREDIN: I don't think, Mr. Martin, you have quite answered the question, I think you ought to elaborate there, just the reasons as to why it is odd that Bowness under those circumstances --

A Well, I don't really recall all the circumstances, Mr. Chairman. The matter came before the Commission a number of years ago, two years ago, I believe it was, and I believe it was, I may be wrong in this, I believe it was the intention of Bowness to have an interim development bylaw, but the Town also had a zoning bylaw at the time, and I think it was subsequently decided not to go under interim development control. Are you, I was wondering what the point of the last question was, Mr. Commissioner?

Q COMMISSIONER DAVIES: The point I am leading up to is this, that a lot of complaints of the public are in the direction of not knowing where they stand, and there is lack of certainty, and that there is delay in having a general plan prepared and a definite final bylaw passed, and you have yourself mentioned that you would agree that it is not desirable that a municipal authority should go

on over a long period of years exercising its control over development, merely through an interim development bylaw, in view of the fact that these bylaws affect the use of land and effect indirectly the value of land, and there are other factors also, there is a question of the degree of stability, instability that may be imparted to the structure in any area, through the general plan not being formulated within a reasonable time, and then things are stabilized?

A I think perhaps the statement of the powers under interim development as stated boldly in the act might give you a distorted picture of what actually takes place, because as far as the participating members in the Calgary District Planning Commission are concerned, and the City of Calgary itself, they all have zoning guides which are referred to when making decisions on individual application for development, and any individual purchasing land has reference to the zoning guide, and in almost all cases, gets a development permit in accordance with what is shown on the zoning guide.

Q If you turn to Section 74, it deals with development schemes. Have any of your Calgary District Planning Commission members, other than the City of Calgary, prepared and adopted a development scheme?

A The Town of Forest Lawn, and the Municipal District of Springbank have adopted replotting schemes, if they can properly be called a development scheme, they are re-plotting schemes. In one instance, it is not really a develop-

scheme, a scheme for industrial development, that is for the Town of Forest Lawn. In the Municipal District of Springbank, it is a scheme for residential and commercial development.

Q Now, I would like to turn to Section 87, that is back to District Planning Commissions again. Now, those sections there deal again enlarging upon the powers of delegation by a municipality of certain powers to the District Planning Commission, but you answered that previously by telling us that you thought your membership had not done so?

A That is correct.

Q That disposes of that?

A Yes.

Q Now, Section 88, Technical Planning Board, Section 88 authorizes the council of a city by bylaw to establish a Board to be known as a Technical Planning Board for certain purposes. Has the City of Calgary a Technical Planning Board within the meaning of Section 88?

A Yes, sir.

Q And is that the Board of which you direct, of which you are the director?

A Well, I am the City Planner, I don't happen to be Chairman of the Board. I prepared the recommendations for the Board and they are discussed by the Board, and planning recommendations are prepared by the Town Planning Department,

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the City Planning Department and considered by the Technical Planning Board.

Q So that the Planning Department of the City of Calgary is a function that derives its authority largely then from Section 88 of this Act?

A That is correct, sir.

Q Now, would you go down to Section 89 dealing with Planning Advisory Commissions. Section 89 (1) says,

" The Council of any municipality, by bylaw may establish a commission to be known as a Planning Advisory Commission for the purpose of advising and assisting the Council with respect to the planning and orderly development of the municipalities."

Sub-section 2,

" The Planning Advisory Commission shall consist of members appointed by the Council in the manner set out in the bylaw, who shall represent the Council, the citizens at large, and any organization concerned with planning and orderly development in and about the municipality, or all or any of them."

And then I would go down to sub-section 4 dealing with the bylaw, and it says as follows:

"The bylaw may authorize the Planning Advisory Commission, for any of its purposes, to engage the services of planning technicians, consultants or other officers, and to expend such funds as may be

furnished by the Council."

Am I correct in assuming, Mr. Martin, that what is anticipated by the Act in the realm of Planning Advisory Commissions for the Council of any municipality is intended to be a sort of similar organization on a smaller scale than the Technical Planning Boards, which is afforded to the cities under Section 88?

A I believe that is correct, sir.

Q And then could I go a step further and say within the membership of the Calgary District Planning Commission, excluding reference to the City of Calgary, that none of your membership has any Planning Advisory Commission appointed under Section 89?

A That is correct, sir, they all have Interim Development Boards under their respective interim development bylaws, and if the planning function is to continue after the end of interim development control, then certainly the establishment of a Planning Advisory Commission, unless the legislation is changed in the meantime, would be envisaged for each of the municipalities in the area.

MR. BROWN: Mr. Chairman, may I intercept for just a moment. Mr. Martin, you are aware, of course, that we have a Planning Advisory Commission in the City of Calgary?

A Well, I think Commissioner Davies, Mr. Chairman, excepted the City of Calgary. You did say with the exception of the

City of Calgary?

COMMISSIONER DAVIES: I excepted the City of Calgary on the ground that we were aware that Calgary is operating under Section 88 of a Technical Planning Board.

MR. BROWN: We also have --

A There is a Planning Advisory Commission in the City of Calgary too, Mr. Commissioner. Their chief function is to act as the Appeal Board from the decisions of the Technical Planning Board.

Q COMMISSIONER DAVIES: Then it is clear then that none of your members have a Planning Advisory Commission, and you wouldn't anticipate they would have until they got rid of interim development control and adopted a general plan?

A That is correct, sir.

MR. BREDIN: If I might amplify the answer Mr. Martin has given with respect to the legal status, Mr. Chairman, of the Technical Planning Board. Under Section 69, setting out the interim development control, sub-section 2 provides that control shall be exercised over development within the municipality by the council on the basis of the merits of each individual application. And in Section 72,

" An interim development order shall prescribe the manner in which the council, its agents, or servants, may exercise interim development control and the matters to be subjected to such control."

Now, the Order which the Minister granted to the City

Planning Board has all the powers of a council, so that in the City here, the Council itself exercises none of the powers of interim control, those are delegated completely to the Technical Planning Board, and in that sense the whole of the city's powers have been delegated to the Technical Planning Board. I thought that ought to be mentioned because it does remove planning control from any council interference.

COMMISSIONER DAVIES: And then would you mind, while you are on your feet, Mr. Bredin, to deal with the question of the appeals from the decision of your Technical Planning Board, where that goes to?

MR. BREDIN: Yes, that decision goes to the Planning Advisory Commission, which it is not a function necessarily delegated to it under Section 89, but is one which was especially delegated to it by our Interim Development bylaw.

COMMISSIONER DAVIES: And am I correct in assuming that there are some members of the City Council in Calgary who sit on this Planning Advisory Commission that acts as an Appeal Board?

MR. BREDIN: That is correct, sir.

Q COMMISSIONER DAVIES: And some citizens of Calgary?

MR. BREDIN: That is correct.

COMMISSIONER DAVIES: It is a cosmopolitan Board?

MR. BREDIN: Yes.

COMMISSIONER DAVIES: And then there is a further appeal from them to the Town Planning Advisory Board?

MR. BREDIN: That is correct, sir.

COMMISSIONER DAVIES: While you are on your feet, would you mind telling us, do you have a lot of appeals from the Planning Advisory Commission onto the Town Planning Board?

MR. BREDIN: In Edmonton?

COMMISSIONER DAVIES: Yes?

MR. BREDIN: I would say that there were not a lot but there are a few.

A We could provide you with them.

MR. BREDIN: About 8 or 10 a year is my information of the number to Edmonton.

COMMISSIONER DAVIES: And do they, in the hearing of their Appeals hold a public hearing?

MR. BREDIN: The Provincial Planning Board does not ordinarily hold a public hearing.

COMMISSIONER DAVIES: Is it purely an appeal by way of submissions in writing?

MR. BREDIN: Yes.

COMMISSIONER DAVIES: And counsel appearing before the Board and arguing?

MR. BREDIN: There has never been personal representation in any case that I know of, that is by way of a public hearing. There have been visits to the city to view the locus by a number of members of the Provincial

Planning Board, but there has not ever, to my knowledge, been a formal hearing at which representations were made, but they do accept written submission by either party.

COMMISSIONER DAVIES: Has the City got any particular views of whether or not their appeals should be in the form of public hearings?

MR. BREDIN: Well, I have had personally a number of complaints by solicitors who feel that the manner in which they are dealt with is not entirely fair in the sense that they have no opportunity to make representation on behalf of their clients, but that is the only evidence I have.

Q COMMISSIONER DAVIES: Mr. Martin, to go back to the Calgary District Planning Commission, in regard to the three members appointed by the Government, would you mind repeating their names?

A Mr. Graham.

Q Does he represent any particular Department?

A He is attached to the Highways Department, Mr. Chairman.

Q Yes?

A And Dr. Fowler. Dr. Fowler is with Education. He was at one time a principal of a Technological Institute. And Mr. Lash is Director of Town and Rural Planning.

Q Well then, is there, there is just two members, the two representatives of the Government plus Mr. Lash, and not three members, not three representatives of the Government in addition to Mr. Lash?

- A Well, not three in addition to Mr. Lash, but including Mr. Lash. Mr. Lash is considered as being a Government member.
- Q Have you followed the situation in Edmonton where there have been some members seceding from the District Planning Commission?
- A I am not too conversant with the situation in Edmonton. I believe I am more conversant with the planning operation of the City of Edmonton. I do know that there have secessions from the Edmonton District Planning Commission.
- Q Has the Calgary District Planning Commission got to the position yet where it has discussed questions such as ring roads, or the development of roads beyond the boundaries of the City of Calgary as access highways to the City of Calgary?
- A Oh yes, definitely, Mr. Chairman. That is perhaps the study which has been carried to the most complete stage into the preparation of the plan for the general area.
- Q What do you propose to do when you reach the stage that you know what roads you need when it comes to consideration of where the money is to come from to build them? Have you reached any thought on that yet?
- A Well, I believe that is a very good question at this time, Mr. Chairman. We have had thoughts on the matter, but I can't see under the existing legislation here, I can't see that the existing planning legislation at any rate is going to be very effective in, or the resources of the area in

The first part of the report deals with the general situation of the country. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's development.

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carrying the expense of the construction of such roads, except insofar as such roads may comprise part of the Provincial Highway system.

Q Have things reached the stage in the District Planning Commission, for example, when it is thought that certain areas should be put aside as parks?

A Yes, sir.

Q Have you reached some agreement on desirable areas for parks, say a few miles out from Calgary, or elsewhere?

A Yes.

Q Have you run up against a blind alley when you start to consider how you are going to acquire those areas?

A Yes, we have, sir.

Q And have you any thoughts on the subject to give to this Commission?

A Well, the particular parks we have in mind are parks in the vicinity of Chestermere, that is about 12 miles east of the City, and the new Bearspaw Reservoir, which was formed, or which is being formed through the damming of the Bow River west of the City, I think it is about 9 miles from the City, and in the latter case, the Provincial Government was approached with the idea of making it a Provincial Park, and the idea was turned down by the Provincial Government. The making of Chestermere into a park area was approached from a number of points of view, and of course the financing difficulty comes up there, as well as

it did in the other case, since much of the land is privately owned.

Q Supposing that an Interim Development Order is made by one of the members of your District Planning Commission in the form of a bylaw prescribing certain uses, specified uses, and limited uses for property, and somebody doesn't like that, would you mind outlining to the Commission all the rights and remedies that person has to try and get that bylaw modified? His first step is to appeal to the Council?

A Well, his first step, Mr. Chairman, would be to make application to the Interim Development Board of the particular -- it is assumed that if they were subject to an Interim Development Order --

Q They all are except Bowness?

A That is correct. They would make application to the Interim Development Board for a specific development to be carried out on a certain piece of land. I assume for the moment they were refused. They would then have the right of Appeal in all cases, I believe, to the council of the particular municipality involved, with the exception of the City of Calgary, where the appeal would be heard by the Planning Advisory Commission. If they were refused, and they were operating under interim development control, if they were also refused by the local appeal Board, whether the council or any other party, constituted to hear appeals, they would then have the right to take their appeal to the

1. The first part of the report is a general introduction to the subject.

2. The second part is a detailed description of the methods used.

3. The third part is a discussion of the results obtained.

4. The fourth part is a conclusion and a summary of the findings.

5. The fifth part is a list of references and a bibliography.

6. The sixth part is an appendix containing additional data and figures.

7. The seventh part is a list of tables and figures.

8. The eighth part is a list of abbreviations and symbols.

9. The ninth part is a list of footnotes and references.

10. The tenth part is a list of appendices and supplementary material.

11. The eleventh part is a list of tables and figures.

12. The twelfth part is a list of abbreviations and symbols.

13. The thirteenth part is a list of footnotes and references.

14. The fourteenth part is a list of appendices and supplementary material.

15. The fifteenth part is a list of tables and figures.

16. The sixteenth part is a list of abbreviations and symbols.

17. The seventeenth part is a list of footnotes and references.

18. The eighteenth part is a list of appendices and supplementary material.

19. The nineteenth part is a list of tables and figures.

20. The twentieth part is a list of abbreviations and symbols.

21. The twenty-first part is a list of footnotes and references.

22. The twenty-second part is a list of appendices and supplementary material.

23. The twenty-third part is a list of tables and figures.

24. The twenty-fourth part is a list of abbreviations and symbols.

25. The twenty-fifth part is a list of footnotes and references.

26. The twenty-sixth part is a list of appendices and supplementary material.

27. The twenty-seventh part is a list of tables and figures.

28. The twenty-eighth part is a list of abbreviations and symbols.

29. The twenty-ninth part is a list of footnotes and references.

Provincial Planning Advisory Board, and that would be the final recourse they would have.

Q COMMISSIONER BLACKSTOCK: Supposing the final Appeal Board granted their request that this bylaw be modified, would the constituent member involved be obliged to bow to that rule?

A They would be obliged, Mr. Chairman, to issue the ultimate permit for the particular application. It is always specified in the Order of the Provincial Planning Advisory Board that a development permit shall be issued for the specific development involved in the appeal.

Q COMMISSIONER BLACKSTOCK: And the constituent member must abide by that rule?

A Yes, sir.

Q COMMISSIONER DAVIES: If, Mr. Martin, the proposals of the City of Calgary for amalgamation were accepted and recommended by this Commission, and ultimately became law, what would you, as a planner, anticipate would happen in the areas where there is now what is known as substandard development, or what protection do you think those people should have, or this Commission should recommend?

A Mr. Chairman, that opens up a rather wide field, and I would like to answer that question by making a comparison with areas which are similar to the areas under consideration, and which have been annexed to the City of Calgary, and let us take the area of Windsor Park immediately to the south;

that area was annexed to the City of Calgary by a Board of Public Utility Commissioners' Order, dated January 1st, 1951. The area has since been serviced with sewer and water, and the City of Calgary building standards have been applied to all subsequent construction, but the City of Calgary has not done anything substantial to raise the standards of the buildings, that is through enforcement, except where they were in contravention to any other Acts under which the City of Calgary operates, for instance, the Health Act.

Q Well, in an area, take for example like Montgomery, would it mean that all building then would have to cease because they were not able to provide suitable plumbing facilities that came up to the Calgary standards, what would you do about that?

A Well, my personal opinion is, Mr. Chairman, it ought to cease simply because it has got so big now, and it is such a health menace at the present time, and it is a question on which I touched earlier, if you get thousands of people into a relatively small piece of land, it is a different thing from getting a few people into a relatively small piece of land, whereas these areas may not have been too much of a problem from that point of view four or five years ago, they certainly are now, and if their population continues to increase without the provision of sanitary facilities, then the problem can only get worse from the sanitary point

of view.

Q Well then, it would mean, I take it, that as far as the Montgomery area is concerned, that all building would cease until such time as the city sewer and water system reached that area?

A That is correct, sir, although in the case of Montgomery that would not be a particularly serious proposition, inasmuch as nearly all of the available land has now been built up.

Q Well, I think that at their brief states that there is room for 125 more homes, something like that. Would you mind making some observations on the Bowness area, what it would mean there, and follow up what it would mean as far as Forest Lawn is concerned?

A Well, I think I can only -- I can't answer the question definitely as to what the City would do, because I think it is pretty hard to predict that at the present time, but if the city followed the policy which is prevalent at the present time of not letting any residential permits where there is no provision for sanitary facilities, then if that were adopted in toto a further development in Bowness on 50-foot lots, or on small lots at any rate, would cease; it might be a completely different matter as far as acreage parcels, or even half-acre parcels are concerned.

Q Until the sewer got out there?

A Until the sewer got out there.

Q And in respect to Forest Lawn?

A Well, Forest Lawn would be much in the same position. It is a difficult question to answer because there may be some modifications in the city's policies. If the policy of the city prevalent now were adopted, and it were part of the city in all respects, then buildings on lots without sewer and water would cease.

Q Until such time as the sewer and water were there?

A Until such time as the utilities were available.

Q Yes.

MR. MACKINTOSH: Mr. Chairman, could I ask a question in order to clear up the Bowness situation?

THE CHAIRMAN: Yes.

MR. MACKINTOSH: While Mr. Martin is here on the stand, one or two questions.

THE CHAIRMAN: Mr. Davies says that is all right, Commissioner Davies says he is agreeable.

Q MR. MACKINTOSH: It is a fact, Mr. Martin, that shortly after the organization of the Village, the council at that time cooperated with your staff and produced a zoning bylaw, and also maps showing the approach to the houses, and so on and so forth, and where they should be placed?

A That is correct, sir.

MR. MACKINTOSH: So that we have been working from that zoning bylaw approved by your Department since that time? I think I can answer that.

A Oh yes, that is quite so, Mr. Chairman. The bylaw for Bowness has been in a state of preparation and we find that over the period which is mentioned by Mayor Mackintosh.

MR. MACKINTOSH: It is also a fact that at the present time your staff are considering the re-zoning and recommending to the Town Council the business section of the town?

A That is quite correct, sir.

MR. MACKINTOSH: And it also is a fact that there is a property in Bowness which we call the McClasky property consisting of some 45 acres, and a plan showing residents in that area, together with the suitable shopping area has also been submitted to the council?

A That is correct, sir.

Q In other words, we are just as well off as though we were working under an interim bylaw?

A That is correct, sir.

Q COMMISSIONER DAVIES: Mr. Martin, are you in a position to tell the Commission how many people there are engaged in agriculture in the enlarged area that the City of Calgary proposes to amalgamate with Calgary, or how many acres are used purely for agriculture, approximately?

A I believe we are in that position, Mr. Chairman, but I haven't got the figures with me. I think that the estimated figures can be provided. I wonder if I might ask a certain question of Mr. Crisp here. We worked out areas on it in

these proposals of the City, and I think they are on file in the Department.

MR. CRISP: Yes, I think we could find them. They are not in the brief.

A They are not included in the brief, Mr. Chairman, but I think we have the information on file in rough form, that is rough in the estimated acreage.

Q COMMISSIONER DAVIES: And for farming population?

A Well, I don't know if we can give you a figure on farming population, we can give the figures on the population within the rural areas, but whether it is all farming population is another thing, we have those figures, also estimated, they are not based on a census.

Q Could you bring those figures in the morning?

A Yes, sir.

Q Now, I want to come back now to the question of the greenbelt. I understand that the City of Ottawa, on the master plan for a national capital, has made definite provisions for a greenbelt, and accepted the greenbelt theory as sound theory in planning a city. Do you know about that, Mr. Martin?

A Yes, sir.

Q And that the plans of the National Committee, who inspected the City of Ottawa, anticipated a population within that greenbelt of around 500,000 people?

A In that neighborhood, sir, yes.

Q Would it be part of your idea for the area of the City of

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Calgary that a greenbelt should be established?

A Yes, it is part of our idea that a greenbelt be established, and it is part of our idea that there should be a fairly sharp definition of where urban development, or shall we say suburban development takes off and rural development takes over, although whether greenbelt is the best possible choice of terms, that is another question. I think the term "greenbelt" has been subject to a lot of, to a lot of misconceptions, and the term "greenbelt" in the development of cities developed during the last century, it was originated during the last century, and it developed chiefly in connection with development of satellite towns around the large metropolitan centres, and it developed particularly from the point of view that you don't want a continuous sprawl of urban development going out for miles, particularly along the major highways, and that the greenbelt idea was a very satisfactory way, providing some method of enforcement could be found, to carry out this concept, that is of having a sharp definition between urban and rural land for each populated cluster within the metropolitan region, they might consist of the main city itself and the satellite towns, as conceived at that time. I think the difficulty about greenbelts is that they have a sort of Utopian connotation, and I think perhaps if we had regional planning control, and just assured through regional planning control that development did take place in clusters rather than in sprawls,

we would get the same effect that we do get from the greenbelt concept, and I think the greenbelt as a concept is very good, but I think it has to be worked out individually for each part of the country and individually for each city because I think topographical features have a way of deciding what is the best location for the greenbelt, more so than just any geometric concept which may have existed in some people's minds. My objection to greenbelts is that they have a Utopian meaning in the minds of many people, and that once a greenbelt is established then nothing, absolutely nothing is permitted in there. I don't think that we should be so rigid. I don't think we can tell 15 years ahead of now whether a certain modification should be made in a greenbelt scheme, and I think we should not lay down a rigid greenbelt, as we have, for all times.

THE CHAIRMAN: Mr. Malcolm, I think maybe you would have to change your tape, would you? Well then, never mind, Mr. Davies assures me he will not finish tonight, so we will just close this hearing at this time and re-assemble tomorrow at 9:45.
